The New REPUBLIC

Published Weekly

Saturday February 27th 1915

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The New REPUBLIC

A Journal of Opinion

VOLUME II | New York, Saturday, February 27, 1915 | NUMBER 17

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IF we may accept the newspaper reports as correct, the present policy of the State Department is calculated to develop without the possibility of evasion the real purpose of the two major belligerents. The Foreign Offices of Great Britain and Germany agreed, as we point out elsewhere, in the attempt to make their enemy responsible for the increasingly frequent and flagrant violations in accepted international rules. Our own State Department has addressed inquiries to both of these governments which will put their evasion of responsibility to the test. It has asked Great Britain whether it will allow the importation of food into Germany under satisfactory guarantees that it will be consumed by the civil population. It has asked Germany whether its proclamation of a war zone will not be suspended in case the importation of food be permitted. The answer to these inquiries should do much to clear the air. If the two belligerent powers agree to suspend their doubtful or illegal practices, the danger to neutral commerce and security wrought by the war will be very much diminished. If either of them refuses

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of the two belligerents is really responsible for the infringement of neutral rights. It is most reassuring to find the State Department acting in the present crisis with so much firmness, fertility of resource, promptness and intelligent solicitude for legitimate national and neutral interests.

AMONG the appointments to the new Trade Commission one man at least, Mr. George Rublee, possesses altogether exceptional qualifications for the office. He understands as well as if not better than anybody in the country the proper limits and the larger opportunities of the Commission's work. It would be strange if he did not possess such an understanding, because he himself was most influential in obtaining for the Commission its enlarged powers. As originally planned, the Commission did not amount to much more than an enlarged Bureau of Corporations. It was intended as an agency of investigation, with the understanding that its chief business would be to collect facts which might be useful to the Department of Justice in bringing prosecutions under the Sherman law. The Commission as finally authorized was developed into an effective administrative instrument for preventing unfair trade practices. The law does not attempt to define what unfair competition is. It leaves to the Commission the work, subject to court review, of deciding after full investigation whether any particular practice is or is not unfair. Mr. Rublee had much to do with the enlargement of the Commission's powers. He was accused by Senator Reed of lobbying on behalf of the bill. What he really did was quietly but tenaciously to argue with individual Representatives and Senators in favor of a more effective grant of power to the Commission. He had no motive for such "lobbying" except his strong personal conviction of the necessity of some effective administrative agency to supplement the courts in preventing business abuses and in socializing business methods. He had no means

their behalf. He contributed effectively to the drafting and the acceptance of the measure only because he was master of the whole subject and was sincerely convinced of the need of a strong Commission. As a Commissioner he should for the same reason make an equally substantial contribution to the success of this experimental administrative supervision of business.

CONGRESS will adjourn without having done anything to satisfy the demand for increased military preparedness. The Democratic leaders decided that they would lose little by passing on to the next Congress the whole problem of national defence, and so far as can be seen at present their decision was good politics if not good statecraft. The country has not taken any alarm or shown any resentment at the failure to remedy the abuses and provide for the deficiencies in the existing military system. The Republicans have not as yet exhibited the ability or even the disposition to convert Democratic negligence into Republican votes. Manifestly, American public opinion is disconcerted by the new and dangerous world into which European war has plunged the country. It does not see clearly or even vaguely what kind of preparation, action or policy the new conditions have imposed. It no sooner gets adjusted to one set of facts than another and still more dangerous complication jumps into the headlines. The country is consequently living from hand to mouth both in its judgments and in its action. It is content to postpone any decision which can be postponed, such, for instance, as the decision respecting military preparation and reorganization. The postponement is a mistake. The waiting period between the adjournment of the present Congress and the assemblage of the next one should have been devoted to a searching investigation into the needs of the American military establishment. But this much is certainly true: Whenever the new Congress assembles, no matter whether it be on December first or sooner, irresistible facts are likely to impose upon the government a definite quantity and quality of military preparation.

SENATOR Fall's speech advocating a joint intervention in Mexico by the United States and the so-called A. B. C. Powers seems to indicate that even on the border desire for a conquest of Mexico is not predominant. On the face of it, then, this suggestion coming from New Mexico deserves careful criticism. For if military intervention becomes absolutely necessary, joint action would be our best guarantee against those who, practical test of the Pan-American idea, a public recognition of the maturity of the three South American nations. It would also be an acknowledgment of the fact that the Monroe Doctrine is no longer a policy merely of the United States, but that it has become the policy guaranteed by the nations of this hemisphere. The difficulties of joint action are, however, very great. In any action the United States would have to do the brunt of the work, and it is doubtful whether there is enough internationalism in this country's opinion to treat as equals nations not equal in the power they can exert. Moreover, there is reason to believe that the term A. B. C. Powers is more of a phrase than a fact. The Argentine, Brazil, and Chile are by no means affectionate and united South American powers. The jealousy between them at times is so great that a proud citizen of Argentina will regard it as an insult to be lumped with the Brazilians. These South American powers have weak but rich neighbors over whom they hope to extend their influence. They are not at all content with the *status quo,* and might not readily agree to the kind of Pan-Americanism which tried to solidify the existing system of the hemisphere. All these factors may not prove insuperable obstacles to the eventual realization of Senator Fall's suggestion, but they must be considered. They indicate merely that the problem of Mexico is not an isolated problem. It is part of an international problem, and requires discussion in relation to Europe and to all the American nations.

MR. TRUESDALE, President of the D. L. & W., is unhappy. It is quite likely that his mood is justified. It is possible that his railroad, although it shows earnings of 28 per cent on its stock, is not getting fair treatment from the Interstate Commerce Commission. Such questions are troublesome to a layman. Even a layman, however, may listen intelligently when Mr. Truesdale says this to his stockholders: "It would certainly be most helpful could the country have for a time a respite from the passage of laws having for their object more or less untried and unsound experiments in dealing with fundamental questions which the experience of all time has shown can only be solved by the working of natural laws." How it takes us back to Manchester in Cobden's time, how it makes one wait for the words, "demand and supply" to fall on the ear with self-confident assurance! Not so very long ago there was an American judge who went to England and talked to English Liberals, one of

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longer in this country." Mr. Truesdale, who respects our judiciary, will not mind being likened to this archaic jurist. He ought not to mind anything. Happy the lot of any man, judge or railroad president, who has the experience of all time on his side, and for whom natural laws are at work. Happy, indeed, unless he undertakes to explain how experiments still untried can have been proved unsound by the experience of all time, and perhaps a little eternity.

WASHINGTON dispatches report that the President, in reply to informal representations from some of the embassies with regard to the state of affairs in Mexico, has definitely stated that the United States will not again interfere. The European powers, it is added, will not press the matter until after the war. We have protested to Great Britain because of her interference with neutral commerce. We have protested to Germany because of her declaration of a "war zone." We apparently contemplate a protest to Japan because she proposes to exercise the dominant influence in China. In the meantime what about Mexico? Are we doing anything to forestall the protest which the European powers will eventually make against the muddle across the Rio Grande? Responsibility, like charity, most properly begins at home.

THE movement to reduce rates for telephone service has acquired considerable momentum in New York State. The National Consumers' League has submitted to the Legislative Committee and the Public Service Commission a memorandum asking that rates should not be reduced until the wages of telephone girls have been raised to a living standard. The theory of the League is a sound one. No effort should be made to reduce the revenue of these corporations until they have met all their costs, including their human costs. If rates are reduced now, before wages are raised, we shall in effect be witnessing a subsidy to the consumer out of the wages of the operators. It would be a great mistake to permit this, for it is just as evil to have the public subsidized out of labor as to have the manufacturer in a sweated trade. If the investigation shows that the telephone companies have a surplus revenue, the first lien upon it should be the underpaid and highly strained girls whom they employ.

WHEN a Socialist is elected to office he writes out his resignation and delivers it to the local organization of the Socialist party. The tana, the Socialists have threatened to use this power in order to throw out of office a Socialist mayor and commissioner. The two officials have taken the matter to the courts in an effort to invalidate the resignation which they signed when they took office. The incident illustrates one of the very real evils in the doctrine and tactics of the Socialist party. A man is elected to office by the voters, but he can be recalled from office by the local organization of his party. Now as a general rule the Socialist party membership is perhaps one-tenth of the socialist vote. Of this ten per cent not all are voters, and not all by any means are active in party affairs. The result is that a Socialist in office is responsible to a very insignificant part of the electorate. It is hardly necessary to point out that a more dangerously undemocratic device could hardly be invented. It is a form of drastic machine politics designed to insure absolute subservience, to make independence impossible. The theory which is used to justify it is that officials are merely the delegates of the "working class." The hypocrisy lies in the assumption that the active Socialists in a party Local are the working class.

NEW York is to follow Massachusetts rather than Oregon in the matter of minimum wage legislation. It has at least an opportunity to follow, for the Legislature will be asked to act on the establishment of a Minimum Wage Commission. The essential point about the proposal is that the Commission has no power to enforce the rates which it finds necessary to maintain a decent standard of life. We had hoped for a Commission which had the power to compel. No doubt we shall be lucky if we secure any kind of body that deals with wages, and so every effort ought to be directed to making the Legislature accept the plan proposed. It is neither courageous nor dangerous. But it will keep the discussion of women's wages before the public; it will frighten only the marginally timid man, and it ought to irritate no one who has read anything since Herbert Spencer.

FOR twenty years the seamen's unions have been struggling with Congress to pass a law to redeem the common sailor from the conditions of virtual slavery under which he sails at present, and to guarantee to passengers and crew some reasonable degree of safety on the high seas. Among the picturesque characters about the Capitol there is none better known than Andrew Furuseth, who fought this losing battle almost single-handed year after year until the recent epidemic of

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through the House, but Congress died before it passed the Senate. After the *Volturno* disaster Mr. LaFollette got the measure through the Senate. And although the shipping interests have worked long and heroically against it, it has limped forth at last, in garbled form, and there is a remote chance that before March fourth the amended measure may pass. The requirements which the shipping interests have found unnecessary are these: that every sea-going vessel entering American ports and every vessel traversing inland waters further than a short distance from land shall carry not only sufficient life-boats for every soul on board, but a sufficient crew to man each boat with two able seamen. It is something considerably less than this mild guarantee of safety which the public seems destined to get.

IF it were ever a matter of doubt that a native of India could become the equal of the European in the world of modern statecraft, the doubt is answered decisively by the life and work of G. K. Gokhale, who died in western India a few days ago at forty-nine, after thirty years of unremitting public service. Mr. Gokhale was a Brahmin of the Mahratta race, an educationist by profession, a statesman by calling. For fifteen years he sat continuously in the Viceroy's legislative council, where he exercised a personal authority unchallenged by any of his European colleagues. He knew through and through the whole complex of Indian administration, politics and finance, had trained himself into perfect mastery of English speech, and was as accomplished a negotiator as could be found in either hemisphere. In any representative assembly in the world he would have stood with the first half dozen; in any cabinet of ministers he would have been a power. Yet in British India he could attain no office of executive responsibility, but had to be all his life an unofficial leader of opposition. So does the most enlightened of imperial systems make use of its greatest men.

IT seems preposterous that one week's news should contain dispatches about a battle with Indians in Utah, night-riding in Missouri, an alleged attempt to invade Lower California, and the death of Jesse James's brother. It makes one fear that life is beginning to imitate the movies, or that perhaps in the general tide of reaction we are being precipitated headlong into the golden days of long ago. The effect of horror on a people is to revive its memories. This may account for the strength of the Republican party, and for the we know we shall be worshipping the Captain of Industry again, and if many more ships are sunk in the North Sea we may be having an embargo, or a flourishing trade in sailing vessels with the coast of Africa. The unabated knitting business may revive parlor looms, President Butler may abolish the teaching of all profane subjects, and so on until finally an adventurous Genoese rediscovers America.

Getting it Both Ways

THE condition of being a belligerent may be barbarous, but it is at least tonic and exhilarating. The condition of being neutral in a world of belligerents may by comparison be morally elevated, but it is certainly discouraging and ineffective. Like our forebears during the Napoleonic wars we are now beginning to feel acutely the inconvenience which a peaceful trading nation suffers when surrounded by a cordon of fighters. The fighters have only one purpose in common. They intend to make it very uncomfortable for the neutrals. They instinctively resent neutrality. They want you to side with them, and if you refuse they propose to interfere as much as possible with your peaceful occupations. Thus the neutral is offered the choice either of submitting to all sorts of impositions or of asserting his neutrality by becoming belligerent.

The recent correspondence between the United States and both Germany and Great Britain has run a similar course. Our government decides that its legitimate interests are being prejudiced by the action of one of the belligerents. The State Department prepares a note, which professes the most friendly sentiments for the offender, but which firmly draws his attention to the inconvenience and losses which virtuous American citizens are suffering as a consequence of his inconsiderate actions. The offending belligerent sooner or later returns a courteous reply, which denies absolutely that the United States has any ground for complaint. The reply proves conclusively that the belligerent has been pedantic and even reckless in his observance of established international rules, but that his enemies have been equally reckless in disregarding them. He warns the United States that, correct as has been his conduct in the past, it cannot be equally correct in the future. His enemies violate all the rules themselves, and then expect their opponents to play the game according to Hoyle.

After having exchanged a few of these polite letters with the belligerents the neutral begins to

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constantly being made upon his means of subsistence. The responsibility for his losses lies between two contending powers. Each of them warmly repudiates all imputations of misbehavior and indignantly accuses the enemy. Each of them claims that the way to prevent any further marauding is to hand the keys of the storehouse to him and to lock out his opponent. Great Britain insists that Germany cannot have it both ways. Germany insists that Great Britain cannot have it both ways. The insistence of each that the other cannot have it both ways does not prevent both from seeking to have it both ways. The result upon the fate of the belligerents of this repudiation of all the rules remains to be seen, but its menace to the mere neutral is crystal clear. The belligerents may not be able to have it both ways, but the thrifty neutral is evidently doomed to get it both ways.

What's the answer? Shall we continue to exchange literature with the several belligerents in the expectation of ultimately convincing them of their errors? Probably, because words are our favorite weapons. We believe in words and like to use them. But our sense of humor should prevent us from shedding too much ink in such a hopeless cause. A mere neutral certainly cannot carry an argument with a belligerent beyond a certain point unless he is prepared to assume belligerency himself, and at the present time the United States is very far from wishing to assert neutral rights by means of force. When arguing with Germany or Great Britain we are comparable to a man who does not want and cannot afford to bet more than a hundred dollars, but who is participating in an unlimited game. If it comes to a serious difference of opinion about the value of the cards, we are sure to lose, because we are not willing to back our opinion with the only chips that count at present. The United States may go to war in case American citizens are killed while pursuing in an inoffensive manner entirely legal occupations, but it will not go to war in defense of traditional neutral rights. It can only make its protest, and having done so, bide its time in silence.

But such silence would not mean consent. A sincerely and intelligently pacific country cannot allow recent precedents to remain unchallenged. We fully admit that the belligerents are assuming more terrible risks than has usually been the case in past European wars. We fully admit that the conditions under which war now is being waged are in many essential respects novel, and will demand a new definition of belligerent and neutral rights. But just because war has become more

tary preponderance on land or sea demands such complete organization and equipment and such costly sacrifices on the part of the belligerent, just for these reasons essentially pacific powers must try to organize peace as the belligerents are organizing war. They must be prepared to make their approval or disapproval a great factor in the calculations of the belligerents. Belgium was invaded because Germany calculated a larger military advantage from violating than from respecting its neutrality. If other neutral powers had been ready to fight for Belgium, German calculations would have had a different result. The only way in which neutral interests can obtain any weight in the counsel of nations commensurate with their real importance is by means of a league organized expressly for their promotion and assertion in time of need.

The Passing of China

JAPAN'S recent demands threaten the independence of China. Must China yield? Will the United States be able to do anything in China's behalf? Many Americans are asking themselves or their neighbors these questions. It would be a mistake for us to cherish any illusions. The answer to the first query is, "Yes"; to the second, "No."

Japan has from time to time assured the world in general and the United States in particular that she would maintain the *status quo* in the Far East, safeguard the integrity of China, and assure an equality of commercial opportunity in that country. Even now Japan will not, in all probability, flagrantly disregard these engagements. They will serve rather to chart the course which she must steer to avoid the diplomatic rocks. They will perhaps temper but they will not prevent Japan's political predominance in China. The Chinese government will endeavor nevertheless to secure our assistance, and the State Department is already reported to be seriously considering the situation.

The most promising basis for an American "protest" would be the Root-Takahira notes exchanged in 1908. Friendly representations to Japan on China's behalf might elicit fresh and pleasantly worded assurances. But such verbiage will not affect the net result, for it makes little difference whether the demands presented by Mr. Eki Hioki, the Japanese Minister at Peking, number twelve, twenty-one or a hundred. Japan will do as she wishes or may deem expedient at the present time.

The reasons are obvious. Japan's resources are restricted. Her future prosperity depends

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est market and her chief source of supply. By maintaining order in China, Japan may create a security upon which to borrow the capital which she herself lacks. As the honest broker she will reap the benefits of exploitation.

Japan will not, therefore, permit any other foreign nation, by the extension of commercial or financial interest, to create an influence which might menace her own political supremacy. Her predominance once established, however, she will encourage general foreign trade and investment. She will control, and by controlling profit from, the development of China.

Japan is now reaping where she has sown for twenty years. One after another, alone or by cleverly availing herself of the increasing opposition to German expansion, she has removed the various obstacles in her path of empire. China was driven from Korea and Southern Manchuria by the Chino-Japanese War. Russia's attempt to contest Japan's influence in these regions was defeated at Mukden ten years later. The Chinese endeavor to reestablish sovereignty in the "three Eastern provinces" by creating a foreign investment in Manchuria, and the neutralization of Manchurian railroads, was successfully blocked. When France and England sacrificed the balance of power in China in order to consolidate their position for the inevitable clash with Germany in Europe, and the United States withdrew from the "six-Power" financial combination, Japan was confronted at Peking only by German and possible Russian opposition. The Kaiser has been expelled from Asia, and the Czar has fixed his eyes on Constantinople. In these twenty years Japan has fought three wars. She is prepared to fight another. The victim is helpless. China may look to us for aid but we will not intervene on her behalf. Nor will England, France or Russia turn upon their ally. For the present, then, Japan is fully secured.

The integrity of China will be preserved—for exploitation by Japan. Japan will not interfere with the treaty rights of other powers because, if for no other reason, she will need foreign capital with which to develop the resources of China. Japanese officers will act as instructors for China's troops, and gradually extend their control over the Chinese police. This will be humiliating for China, but it may result in the suppression of the bands of outlaws with whom the Chinese forces themselves have been unable to cope. Japan will take clear title to the Hanyang Iron Works and the collieries and mines nearby. She has already invested some $25,000,000 in this property, and safeguarded her interests therein by the presence of troops that [illegible]

take over the German leases in Shantung and thus establish a cordon around Peking from Tsingtau to Dalny. She will obtain a *de jure* recognition of what is already a *de facto* right of settlement in Manchuria and Eastern Mongolia. She already exercises a veto power over railway and mining development in these regions.

Japan's hold on the South Manchurian Railroad and the leased territory of Liaotung, which would never have been sacrificed, will now be formally extended. China will not in the future be permitted to lease a harbor, a port or an island to any third power. This Japan would not have tolerated in any event, nor would she have acquiesced in the creation of a non-Japanese foreign interest in the Province of Fukien, which in effect she already controls. China must not, apparently, negotiate a foreign loan nor engage a foreign adviser without Japan's consent. For some years she has been unable to do either without Japanese interference. As a matter of fact the Japanese demands which will either be accepted by or imposed upon China, do not create a new and unprecedented situation. They will rather regularize a condition which already exists.

The Peking government of course will make every effort to postpone the evil day of reckoning. But China has never been able herself to resist foreign aggression, and has therefore consistently endeavored to secure immunity by stirring up trouble amongst the legations in Peking. She brought Russia into Manchuria to drive out Japan, and then besought Japan to drive out Russia. She later endeavored to induce the United States to remove King Log, whom she found quite as objectionable as King Stork, his predecessor. Because the world is involved in the European war, and owing to the indifference and the impotence of the United States, China is no longer able even to play one power off against the other. This has been Japan's opportunity.

We must sympathize with China. We may even protest to Japan. We should not, however, delude ourselves into thinking that we shall be able materially to affect the situation. We must derive what satisfaction we can from the thought that, for the present at least, it is manifestly to Japan's interest to encourage the growth of China's foreign trade and to induce foreign capital to invest in the development of China's resources. From a purely commercial standpoint, it will in many ways be easier for us to cooperate than to compete with the Japanese in China. Certain lines of business may suffer, but in general the result should be advantageous. A number of Chinese will despair, but

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ed by the thought that Conquerors come and go, but China goes on forever. Mongol and Tartar and Manchu have had their day, Japan may have hers; but in the end if she becomes too deeply involved, it will be China that will absorb the Japanese, not the Japanese who will dominate China.

In the meantime Chinese patriots will anathematize Japan and condemn us, who have so bravely proclaimed our friendship for the young republic, and who, when they cried for the bread of intervention, have given them repeated assurances of our distinguished consideration. We have led them to have faith in our interest and to rely upon our assistance. We have posed as the guardians of the "open door" and the "integrity of China." These pledges, save for one brief period, have never been galvanized into more than stenographic action. We may bemoan the fate of China, but we will complacently watch her passing. Not many years ago Korea relied upon our aid. A Japanese Governor-General now resides at Seoul. In reality our chief claim to an influence in China arises from the fact that Secretary Hay once coined a phrase which answered a riddle that perplexed the chancellries of Europe. This we deified as a Doctrine and called it the "open door." It was consecrated in official correspondence, editorial comment and after-dinner speeches. But though its head was of diplomatic brass, its feet were of rhetoric and nothing more, and the idol has fallen. Mr. Wilson and Mr. Bryan cannot be blamed for what has happened, nor Mr. Taft and Mr. Knox, nor Mr. Roosevelt and Mr. Root. They have been but the high priests of our national and irresponsible good intentions. Unfortunately we are now faced with uncomfortable facts which we have hitherto been able to disregard. We will do nothing, we can do nothing. But those who turn over the pages of our diplomatic history, if they be honest, will feel ashamed.

Constructive Court Decisions

WHEN the New York Court of Appeals upheld the constitutionality of the one-day-rest-in-seven law (People v. Klinck), it accomplished something far more important than anything contained in this particular statute. It revealed a most interesting adjustment of the judicial mind to modern twentieth century industrial conditions. For the remarkable thing about the decision is the reasoning upon which it is based. There have been decisions in this and other courts, Federal and state, upholding the six-day labor laws for women and minors; there have been laws regulating the observance of the Sabbath; but in these interferences with freedom of contract on the ground that the people concerned were wards of the state, or that immemorial observance was involved. Only seven years ago the Court of Appeals refused to sanction the prohibition of night work for women, declaring:

> The tendency of legislatures, in the form of regulatory measures, to interfere with the lawful pursuits of citizens is becoming a marked one in the country, and it behooves the courts firmly and fearlessly to interpose the barriers of their judgment.

To-day different judges in the same courts argue:

> Can we say that the provision for a full day of rest in seven for such employees is so extravagant and unreasonable, so disconnected with the probable promotion of health and welfare that its enactment is beyond the jurisdiction of the legislature? . . . . We have no power of decision of the question whether it is the wisest and best way to offset these conditions and to give to employees the protection which they need, even if we had any doubt on that subject. Our only inquiry must be whether the provision on its face seems reasonable, fair, and appropriate, and whether it can fairly be believed that its natural consequences will be in the direction of the betterment of public health and welfare, and therefore that it is one which the state for its protection and advantage may enact and enforce.

Obviously, seven years have made a vast difference in the underlying philosophy of the New York Court of Appeals. There is noticeable in this case of the People v. Klinck a real desire to enable the legislature to meet the actual conditions of modern industrial life. The court is no longer content to reason from purely abstract premises to stultifying conclusions. Thus in the famous Jacobs case, prohibiting the manufacture of cigars in tenement houses, the court considered it a *reductio ad absurdum* to state: "if the legislature has the power under the constitution to prohibit the prosecution of one lawful trade in a tenement house, then it may prevent the prosecution of all trades therein." In the Klinck case, however, the court brushed aside arguments from logical symmetry:

> We see at the outset that it [the statute] is applicable only to certain classes of employees. But these are they who work in factories and mercantile establishments. We know as a matter of common observance that such labor is generally indoors and imposes that greater burden on health which comes from confinement, many times accompanied by crowded conditions and impure air. Thus special conditions are presented which become a reasonable basis for special consideration.

The court spoke thus because the framers of the act, by the necessities of modern industry and by experience with Sunday laws which are unenforceable and indeed impracticable in the case of continuous industries, considered themselves com-

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four hours of rest need not be granted. So they excepted "employees whose duties include not more than three hours' work on Sunday in (1) setting sponges in factories; (2) caring for live animals; (3) maintaining fires; (4) necessary repairs to boilers and machinery, and foremen and employees of dairies where not more than seven persons are employed."

The court refused to consider these exceptions as running counter to the "equal protection of the laws" clause of the Federal Constitution, and to the state constitutional provision against deprivation of any of the rights or privileges secured to any citizen. The court recognized the intricacies of modern production, laid aside the abstract notion of equality, and set itself to interpret the purpose in the minds of the legislators. For example, in regard to the rule that dairies employing seven men should be exempt, the court says:

> It is then quite probable that in a small establishment it would be more burdensome than in a large one to lay on each employee one full day in seven . . . In addition, I think the legislature might consider the widely prevalent belief that in larger establishments there is necessarily lacking the same beneficial personal relationship between employer and employee which prevails in a smaller one, and that the demands and strain on the employee in the former one are apt to be greater, and that therefore there is greater need for oversight and regulation.

The noticeable thing here is the evident desire of the court to cooperate with the legislature. Thus the statute gave the Commissioner of Labor power to exempt "in his discretion" employees working in eight-hour shifts in continuous industries. The court declares this particular section unconstitutional, and remarks:

> We are bound to believe that the legislature thought it wise, as a matter of fairness and public policy, that the requirements of the main statute which might at times be somewhat burdensome, should be modified by some such limitation as this, and therefore we have thought it our duty to call to the attention of that body, while it is in session, the doubts which have arisen in our mind, in order that the subject may receive such consideration as seems appropriate.

It is no exaggeration to say that the case of the People v. Klinck marks a new era in labor legislation. We have the spectacle of one of the most conservative courts in the country deliberately ceasing to construe "an eighteenth century charter of liberty with an eighteenth century mind." We see them unready to destroy legislation and to nullify the police power by the use of some ancient logic. They have demonstrated that there is in our American Constitution a general flexibility. They have made an effort to adjust legal doctrine to modern industry. And in that adjustability lies one of the

Elihu Root

WHEN Senator Root retires on March fourth the nation will lose the services of one of its ablest and most useful statesmen. While his departure will be regretted by an influential element in American public opinion, the regret will be confined to comparatively few people. The great majority of Americans will watch his retirement without any consciousness of discomfiture. Their attitude will be considered an instance of the ingratitude of democracies. but the thoughtful observer may well ask whether the ingratitude is wholly indefensible. Is there not a fault in Senator Root's makeup which has caused his public career to be in some sense a failure?

Of his disinterested devotion to the public good there can be no question. Twice he abandoned a lucrative legal practice in order to give himself to arduous official work. Of his exceptional ability there can also be no question. He has been considered, not without reason, to have more brains than any man in American public life. His work in the War and the State Departments was that of a really great administrator. He had large plans; he mastered the conditions under which they could be realized; his mind was fertile and indefatigable in finding fresh solutions for special problems. He could convert thought into successful action. As Senator he did not do so well, but mistaken as were many of the acts of his Senatorial career, he has been during the last six years the most impressive speaker in the upper house. He showed himself capable, in the case of the Income Tax amendment, of thinking in national terms, as Governor Hughes could not. His powerful speech did more to defeat Lorimer than did that of any other Senator. His exposure of the danger of inflation forced the Democrats to modify the Federal Reserve act. He brought to his utterances in the Senate an intellectual and moral elevation which offered a significant contrast to the actual meaning of some of his votes.

The inveterate enemy of Elihu Root the statesman was the record of Elihu Root the lawyer. He has never won popular confidence because he was supposed to have sold his great legal abilities to unscrupulous corporate employers. Mr. Root was justified in so doing by the accepted moral standards of the legal profession. A lawyer's business is supposed to be that of giving legal advice without incurring any responsibility for the use which his client is going to make of it. He is obliged only to keep his client "within the law." Mr. Root apparently accepted this standard, and his acceptance of it reveals the essential limitations of his mind. He was a great advocate, and as much of a statesman as a great advocate can be. He was ingenious

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him by convention, by his special work or by his personal associates, but he lacked intellectual initiative and intrepidity. An admirable tool in the hands of men like Mr. Ryan or Colonel Roosevelt, he had not the kind of intelligence or will to become a popular leader.

The absence of a really creative mind betrays itself clearly in Mr. Root's writings and published addresses. When they deal with concrete problems they are usually adequate and sometimes triumphant. The speech delivered in 1906 on the dangers which threatened American state governments because of their irresponsibility had a profounder effect on American public opinion than any other speech of the present generation. But when Mr. Root seeks to illumine fundamental principles, as in his "Experiments in Government and the Essentials of the Constitution," he shows an astonishing amount of sheer intellectual conventionality. The book has been described as a masterly defense of traditional principles; and if the persuasive way to defend traditional principles is to restate the traditional arguments in their favor, the author's defense may be considered masterly. But a disinterested critic would be hard pressed to find in it any indication of fresh or candid thinking.

Mr. Root's intellectual poverty, or, if you please, naïveté, in the realm of first principles, shows itself in almost the first sentence of this book. He speaks of "the individualism which underlies the social system of western civilization." Individualism as a theory may be as good as or even better than the equally doctrinaire socialism, but its intelligent preachers, like Mill, have admitted that it is a Utopia, an ideal toward which they think we ought to strive. To think of western civilization, with its essentially national organization, its churches, schools, armies and institutionalized industries, as actually the embodiment of individualism, indicates an intellectual inexperience so extraordinary in a man of Mr. Root's practical sagacity that it must be due to a native ineptitude for dealing with fundamentals. A similar narrowness or absence of vision of anything outside the scope of the respectable lawyer's experience shows itself when we ask for his views as to the problems which a changing life has brought to the great multitudes. One will look in vain through all his speeches to find the faintest insight into what life means to the factory worker or tenement dweller. To Mr. Root's wisdom these are irrelevant facts.

The inability to do formative thinking may not greatly handicap a statesman, but the moral and intellectual timidity which often accompanies the limitation is a fatal drawback. Elihu Root has failed to fire the imagination of his fellow citizens because he has lacked vision. His intellectual inexperience is associated with the moral inexperience of a man to whom the essential aspect of a moral life consists in a series of taboos. He has brought to the service of these taboos a clear and conscientious mind, but if the mind had been liberal as well as clear and conscientious, it would have destroyed the taboos instead of becoming rigid in their service. Mr. Root is a man of big stature, but in spite of some splendid endowments, he has failed because of the absence of a sympathetic and creative imagination. No man can lead a people who has his back to the future.

The Case of "The Spectator"

THERE are many things in this world, concrete and abstract, which cannot be rightly judged from a distance. We have to know them close at hand and keep our knowledge fresh if we would be sure of the measure we apply to them. This is true in a peculiar sense of newspapers and reviews. The standing of a newspaper even among its own public is not easy to appreciate or analyze, and the history of international relations is crowded with episodes illustrating the truth that there is nothing much more powerful for evil than the factitious reputation enjoyed, outside their own countries, by certain organs of opinion which may once have been considerable. The present crisis furnishes no end of examples—among them the exaggerated importance attached on one side to the literature of Pan-Germanism, and the panic produced and stimulated, on the other side, by such negligible voices of British jingoism as the *Saturday Review* or the *National Review* of Mr. Leo Maxse.

At the moment, however, we have another and a more deplorable example in mind—the London *Spectator*. Since the beginning of the war this journal has distinguished itself by printing a number of editorials on the position of America in the world crisis, and the relations between Great Britain and the United States, which have been so dense, so ignorant, and so unintelligent that we should find it difficult to discover an adequate parallel in recent journalism. They began, in July last, while peace was still in the balance, with fantastic appeals to Washington for immediate intervention. They have culminated, with the issues of January, in articles of a diabolical perversity and venom.

The *Spectator* (January twenty-third) is troubled by "the want of understanding of the situation, both military and moral, which is shown by the American government, and by large sections of the American people." It confesses "acute anxiety and alarm"

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"drifting towards the danger of a collision with the United States." And then, by way of composing these perilous differences, it proceeds to declare the editorial mind—in the following terms: "We (the *Spectator*) are convinced that the majority of Americans are at heart on the side of the parent stock"—a term that needs defining.

> We are equally sure that the bulk of them, even if, owing to distance and want of knowledge they seem callous about the sufferings of Belgium, or careless as to the results that must flow from the triumph of German militarism, do not at heart wish ill to this country or desire to take advantage of the peril in which she stands, or again wish to bring her in ruin to the ground.

Having thrown off this embarrassing compliment to the nation which for six months has been pouring money and food into Belgium, the *Spectator* provides us with an exquisite piece of international amenity. America, it asserts, need not assume that because England has her hands more than full in Europe, she is going to be more compliant than she would otherwise be in respect of American demands. On the contrary, she resents American "callousness and indifference to Great Britain"; she "cannot now show consideration"; and, as a matter of fact, she is "ten times more likely to prove combative" than she would have been if she were at peace with her neighbors. Moreover, as if all this were not enough, the *Spectator* recalls the incident of Mason and Slidell, notes that the good sense of Queen Victoria and her husband prevented British ministers from writing insulting and high-handed dispatches to Washington, and adds the following comment:

> There is no one capable of preventing President Wilson and Mr. Bryan from sending dispatches which would fire the only portion of the world yet unburnt.

This, we may well agree, is a sufficiently outrageous judgment upon a President who is probably the most accomplished master of restrained and dignified official language in the English-speaking world, and the Secretary of State who the other day signed the letter to Senator Stone on alleged breaches of neutrality.

Well, the reader may interject, why trouble about the utterances of a journal which is so patently conducted, in regard to American affairs at any rate, without knowledge or responsibility or decency? What is the London *Spectator,* anyhow? We are coming to that. If opinions and speculations such as we have cited were to appear in any one of the papers which, in London as in New York, play to the multitude without thought of consequences, no instructed person in America, or in England for that matter, would take the smallest them. But the *Spectator* is another matter. It was once a great paper, and it is still a superstition. Unhappily—the fact amounts to a severe criticism of the educated classes in England—no other weekly review circulates so widely or commands quite so much authority in one considerable province of British conservatism. That province, to be sure, is inhabited by people who are dead or were never born—university dons and clergymen, pensioners and rentiers, elderly ladies (of both sexes) who figure Lloyd George or John Redmond as Beelzebub. This clientele counts for no more in modern England than it would in present-day America. But the mischief is that a paper, having once acquired a character and repute, is apt to persist in a shadowy form long after the life has gone out of it. There can be few more remarkable examples of this phenomenon than the London *Spectator.* For thirty years, under Richard Holt Hutton (the friend and editor of Bagehot), and Meredith Townsend, it deservedly held a high place among the distinctive journals of its age. Under its present editor, Mr. St. Loe Strachey, it has become a survival—"doomed, pompous and absurd." For more than a decade it has stood for standpat adhesion to a theory of politics and society from which England has moved as decisively as we have moved from Jeffersonian democracy; and its own ignorance of the fact is the most pathetic thing about it. The one consolation is that the better mind of England, expressed in all parties, repudiates the follies of the *Spectator* as emphatically as do the American people. A fortnight before the appearance of the article we have analyzed, there appeared in the same paper a meditation headed "The Time to Leave Off." In the case of Mr. St. Loe Strachey and his organ, that moment has long since passed.

The New
REPUBLIC
A Journal of Opinion

PUBLISHED WEEKLY AND COPYRIGHT, 1915, IN THE UNITED STATES OF AMERICA BY THE REPUBLIC PUBLISHING COMPANY, INC., 421 WEST TWENTY-FIRST STREET, NEW YORK, N. Y. HERBERT CROLY, PRESIDENT. ROBERT HALLOWELL, TREASURER.

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YEARLY SUBSCRIPTION, FIFTY-TWO ISSUES, FOUR DOLLARS IN ADVANCE. SINGLE COPIES TEN CENTS. CANADIAN SUBSCRIPTION FOUR DOLLARS AND FIFTY CENTS PER YEAR IN ADVANCE. FOREIGN SUBSCRIPTIONS FOR COUNTRIES IN THE POSTAL UNION, FIVE DOLLARS PER YEAR IN ADVANCE.

REMITTANCE TO BE MADE BY INTERNATIONAL POSTAL MONEY ORDER. ENTERED AS SECOND CLASS MATTER, NOVEMBER

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Russian Failure

SIX months ago, when the Russian armies were first beginning to roll up the Austro-Hungarian masses before Lemberg and the German corps in East Prussia, Petrograd, Paris and London were talking of a Christmas dinner in Berlin at which the Czar was to be the host, his Allies the guests.

But now, at the end of February, Russian troops have made little or no progress beyond the points held in the last week of September; are, in fact, behind their high-water mark of that time in western Galicia. In these seven months, too, three terrible defeats have been suffered by the armies of the Czar, defeats which in any other war might easily have decided the issue. Tannenberg, Lodz, the new disaster along the Masurian front, these German triumphs have a Napoleonic character lacking in all contests in the West.

Taken together these battles seem to demonstrate that Russia is still hopelessly outclassed in a straight-out fight with the Germans. Her superiority over Austria seems beyond question. What she conquered in September in Galicia she holds now, with small exceptions. On the crests of the Carpathians her troops are still efficient enough to roll back the army of liberation coming from Hungary and now west and south of the crests of the Beskids. But wherever the Prussian helmet appears, there seems to be the signal for Russian defeat.

Looking back over the three great Russian reverses, too, it seems clear that they all have something of the same general character. In September five corps burst into East Prussia, and for two weeks swept west toward the Vistula, carrying storm and destruction before them. For the moment it appeared that the whole Prussian province to the Vistula would be occupied in the opening month of the war, and the flanks of the army, scheduled to start for Berlin in a brief time, cleared north as well as south. But while the world was still watching the Russian advance, a swift German concentration, the transfer of two or three army corps from Belgium to East Prussia, a rapid march after a quick railway journey, and the Russian corps, now scattered and beyond supporting distance, were suddenly overwhelmed, smitten on flank and front alike; not defeated, annihilated. Something over 100,000 prisoners, uncounted guns, stores, these were the German booty.

But the capture of generals and army corps was that for some months the advance through East Prussia was checked. Russia went back to the Niemen and then returned slowly, while the Germans, their East Prussian task over, hurried the mass of their victorious troops elsewhere.

Tannenberg was won and lost in September. Not until November did the Eastern foes meet again in a sharply contested general engagement. A German dash for Warsaw having failed by a narrow margin, thanks to the enormous resources of Russia in men, the German army had flowed swiftly, succinctly, back from the Polish capital in a marvelous retreat. After them the Russians piled with the same lack of concern for flank and rear as at Tannenberg. Thus it came about that while Russian corps were across the Warta and Petrograd proclaimed the invasion of Silesia, the German high command was preparing another blow.

This time the German troops were gathered up from the front of the Russians about Kalisz, placed upon the trains that had been assembled, rushed north and east along the strategic railways to Thorn, and then thrust back upon the Russian right flank and across its line of communications to Warsaw. Once more the blow was terrific; for several days there was a prospect that the main Russian army in Poland might be destroyed as the advance guard of the army of the north had been in September. Two things saved the Russians from utter disaster, the ability to call up still more new troops from the garrisons of Warsaw and other fortresses, and the mildness of the winter, which made the German movements difficult and inconceivably slow, given the resources which they possessed for transport.

The Russian Polish army therefore escaped, came back to the Bzura River, where it stood sullen and inexpugnable, as Russian armies on the defensive have stood in all their history. But German official reports asserted that another 100,000 Russian prisoners, new wealth in officers, material, artillery, were the fruit of the great victory of Lodz, which was almost a Russian Sedan and cleared the Silesian frontier of Russian excursionists bound for Berlin.

Through the last few days it becomes plain that there has been a third Russian failure, this time in East Prussia again. Flowing west from the frontier of the Suwalki province in October, new Russian armies reached the Masurian Lakes, were

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on the Czar's part was disclosed breaking out north and south of the line of the lakes. Between the Niemen and Inster, between the lakes and the Vistula, great Russian armies were officially reported to be advancing to turn both flanks of the Germans on the lake front. Once more there was the familiar period of prosperity as disclosed in Petrograd bulletins. For a second time it seemed certain that the Slavonic hosts would reach the Vistula before Graudenz. But once more at the decisive moment came the swift, unforeseen, tremendous blow of the Germans, of Hindenburg, "the Old Man of the Lakes." The Russians had aimed at turning the flanks of the Germans on the Masurian front. Hindenburg did turn the right flank of the Russians about Tilsit, while he threatened the left toward Plock and the Vistula. Once more there was a futile frantic effort of the scattered and outnumbered Russians to slip from the grasp of the foe.

The third Russian failure was quite as complete as the preceding, if we are to accept German official reports as it is reasonable to accept them. One hundred thousand prisoners, seven generals, artillery, machine guns, supplies, these the Czar's hosts left behind them as they fled east through the Augustowo forest, and the Germans moved after them upon Ossowetz, Grodno and the lines of the Narew and the Niemen which protect the Warsaw-Petrograd railways. The second invasion of East Prussia was now continued in western Russia, just as the first thrust at Silesia had been the prelude to two invasions of Russian Poland.

The causes of the German victory have been set forth in many learned comments, but the simple explanation is not found in mere strategic railways, automobile transports, superior heavy artillery. The real explanation seems to be that the Russians are wholly incapable of marching as rapidly, of concentrating as swiftly, of coordinating their movements as perfectly as the Germans. Whenever the Russians, whose superiority of numbers is unquestioned, undertake an offensive, the Germans, waiting until the Russians are committed to their movement, suddenly concentrate overwhelming forces from all sides, and strike with swiftness that brings terrible success. What they do not seem able to do is to push home these great successes. Here alone the question of Russia's millions tells.

In the Napoleonic time it will be recalled how successful the great emperor was for many years in keeping the upper hand despite the ever increasing disparity of numbers between his troops and the enemy's. The superiority of Napoleon's troops is now that of the Germans. The advantage his now possible to see, the Germans will for months, perhaps for years, be able to hold back the Russian flood, which is farther from Berlin now than ever since the war began, and do it with greatly inferior numbers.

Russian failure to get into Germany, that is, to open a road to the German capital, has been complete, and Russian soldiers and commanders, while they have done better against Austria than had been expected, have totally failed against the Germans. Russia's mission now must be to continue its tremendous pressure, to make numbers in some part atone for inefficiency. What the Spanish guerrillas did to Napoleon's marshals, Russia may accomplish for her allies against the Kaiser. Victories are not to be expected from her, but the troops needed presently in the West may still be withheld at the Vistula. Meantime admiration is due the Germans for their new achievements in the East; for the third demonstration of the fact that in the field the Russians are no match for the troops of the Kaiser, that the Grand Duke Nicholas is inferior to Hindenburg, so far the supreme soldier of the great war.

FRANK H. SIMONDS.

Making Railroad Regulation National

SUBSTANTIAL difficulties in the way of an interstate carrier at present maintaining two distinct systems of rates for interstate and local traffic were set forth by attorneys for the carriers in the Minnesota Rate cases (230 U.S.). Counsel pointed out the interblending of operations in interstate and local business; the rise of the same right-of-way terminals, rails, bridges and stations for both classes of traffic; the daily variation in the proportion of each sort of business; the fact that terminals, facilities and connections in one state aid the carrier's entire business, and are an element of value with respect to its whole property and business in several states; the fact that securities are issued against the entire line of the carrier and cannot be divided by state lines; the fact that tariffs must be made with a view to all the traffic of the road, and should be fair as between through and short-haul business.

Reciting these difficulties, Justice Hughes, speaking for the Court, said: "These considerations are for the practical judgment of Congress in determining the extent of the regulation necessary under existing conditions of transportation to conserve and promote the interests of interstate commerce."

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among the states" and to "make all laws necessary and proper" to that end, may also, when the prosperity of the commerce directly entrusted to it so demands, regulate the conditions of that commerce, which otherwise falls to the control of the states. The importance of the Shreveport cases (234 U.S.) lies in the fact that the court converts its previous tentative utterance into a rule of law, at least so far as interstate carriers are concerned. Concerning the Shreveport cases a few facts are to be briefly noted.

Shreveport, Louisiana, is forty miles east of the Texas line, 189 miles from Dallas, Texas, and 231 miles from Houston, with both of which towns it competes for the trade of the intervening region. Since 1903 this competition has been rather one-sided, owing to the policy of the Texas Railway Commission in keeping rates on traffic between central and east Texas lower than the rates charged by the same carriers, under national supervision, between Shreveport and points in east Texas. In 1910 the Louisiana Railway Commission appealed to the Interstate Commerce Commission for relief, and in March, 1912, the latter body issued an order commanding the railroads engaged in the Texas-Shreveport trade to bring certain of their interstate "class rates" into conformity with a specified maximum schedule of "reasonable" rates, and to remove the discrimination complained of. The first part of the order the railroads complied with promptly enough, but the second part they assailed before the Commerce Court as in excess of the Commission's authority. For, they said, while we admit that we might voluntarily remove the condemned discrimination by lowering the "class rates" below the maximum set by the Commission, yet the Commission cannot force us to do so without exceeding its power to set "reasonable" rates; and as for removing the discrimination by raising our rates on local traffic, that is impossible, since these rates have been prescribed to us by the Texas Commission in exercise of that state's constitutional authority to regulate its internal commerce.

The Commerce Court found that the National Commission's order was justified by the third section of the Act to Regulate Commerce, which prohibits any interstate carrier from giving unreasonable preferences to one locality as against another. It thereupon ruled that the carriers affected by the order were relieved from the necessity of complying with the conflicting orders of the Texas Commission; and the Supreme Court, speaking again through Justice Hughes, sustained this order, on the basis of the following proposition: "Congress interstate commerce, and to take all measures necessary and appropriate to that end, although intrastate transactions of interstate carriers are thereby controlled."

The theoretical importance of this decision arises from the shrewd blow it administers to the superstition, still cherished by many "constitutional" lawyers, that the reserved powers of the states comprise an independent limitation to national power. Thus a recent writer in the *Harvard Law Review* denounces the decision as "doing violence to the very words of the Constitution and a long line of decisions beginning with Gibbons v. Ogden." The fact of the matter seems to be, however, that Gibbons v. Ogden furnishes a most remarkably prescient anticipation of Justice Hughes's doctrine. Commenting on the words "commerce among the states," Chief Justice Marshall there says: "It is not intended to say that these words comprehend that commerce which is completely internal . . . and which does not extend to or affect other states . . . The genius and character of the whole government seem to be that its action is to be applied to the external concerns of the nation, and to those internal concerns which affect the states generally; but not to those which are completely within a particular state, which do not affect other states, and with which it is not necessary to interfere for the purpose of executing some of the general powers of the government."

Other decisions had also paved the way for the Shreveport decision, particularly one upholding the National Safety Appliance act (273 U.S.). This act embraces "all locomotives, cars and similar vehicles used on any railway that is a highway of interstate commerce," and is not confined to vehicles engaged in such commerce. It thus supersedes, within the field of its operation, measures that would otherwise plainly lie within the police power of the states. And surely the state's power to regulate rates on local traffic is not more sacrosanct than its power to provide for the safety of such traffic. More than a hundred and twenty years ago, James Madison, in the very act of combating Hamilton's bank plan, yet admitted that "the powers of the states furnish no constitutional criterion of the powers of Congress."

A somewhat less academic criticism of Justice Hughes's doctrine was generally voiced at the recent annual meeting in Washington of the National Association of State Railway Commissioners. In its most plausible form this criticism ran substantially as follows: "The new test set up by the Shreveport decision for intrastate rates, that they must not discriminate against localities outside the

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this test must be abandoned, or Congress must make it both legally and physically possible for the Interstate Commerce Commission to take over the whole business of rate-fixing in the case of interstate carriers." After considerable discussion the Association adopted a resolution proposed by Mr. Williams of the Texas Commission, which, in effect, called upon Congress to sanction the power of state commissions to set what rates they please in regulation of intrastate commerce, so only that such rates be "reasonable." Besides being decidedly ambiguous, the resolution is plainly *non-sequitur* from the premises just stated. For why should not Congress adopt the more progressive and forward-looking alternative, even though it should thereby somewhat curtail the capacity for social service of certain well-paid state offices?

It is vain even for those disporting the panoply of "state sovereignty" to wage war against facts. Several members of the Association frankly admitted that the day when the conditions of traffic, both interstate and local, of interstate carriers must be set by national authority could not be indefinitely postponed. Why, indeed, should anyone endeavor to postpone it at all? The Interstate Commerce Commission, in recently granting certain roads a five per cent advance on their interstate rates, acted in response to the growing demand of the country for enlarged transportation facilities, and also to its growing appreciation of the fact that in the last analysis it is, as Mr. Charles Francis Adams has pointed out, the investor who determines charges. Nevertheless there are unmistakable signs of preparation to divert the proceeds of the National Commission's award to pockets for which it was never intended, and from which, we may be sure, no new railway trackage, no new rolling-stock, will ever spring into being. Furthermore, the hope that has been entertained of the new Banking act, that it would turn aside the savings of the country from the channels of "high finance," is worth recalling in this connection. It may well be doubted whether this hope will ever be measurably realized till the great mass of small investors can put their confidence in some widespread form of non-speculative securities. So far as the present physical conditions of railroading are concerned, railroad stocks and bonds should fill the bill, provided only the problem of establishing a sane, unified system of regulation can be solved. But there is a still more fundamental consideration pointing the way that constructive statesmanship must eventually take in this matter. We as a people are coming more and more to realize that hope for democracy itself depends to no small extent on the possibility of simplifying our vastly over-elaborate mechanism of government. In the present instance, certainly, the applicability of this hope is most uncommonly plain.

E. S. Corwin.

Shakespeare: Made in America

Custom blinds us to the costume of thought. Not until the fashion has entirely changed do we see how extravagant the old costume was. The late middle ages and the renaissance, when modern languages took shape, had a very elaborate and modish dress for the mind as well as for the body. Notice, for instance, how Shakespeare can deck out a Hock sentiment, proper to any schoolboy:

> When in disgrace with fortune and men's eyes
> I all alone beweep my outcast state
> And trouble deaf heaven with my bootless cries
> And look upon myself and curse my fate,
> Wishing me like to one more rich in hope,
> Featur'd like him, like him with friends possess'd,
> Desiring this man's art and that man's scope,
> With what I most enjoy contented least,
> Yet in these thoughts myself almost despising,—
> Haply I think on thee; and then my state,
> Like to the lark at break of day arising

For Shakespeare this sonnet is comparatively plain and direct, yet it is simply encrusted with old-fashioned jewels and embroideries. How much so will become clear if we venture to paraphrase it, scrupulously leaving out every suggestion that could not have had its origin in the twentieth century and in America.

In the first few lines almost every connotation is obsolete and will have to be abandoned. So the idea of falling out of favor at a court where the capricious monarch is Fortune. This mythological Fortune was rather a verbal deity from the beginning and had become merely rhetorical even in Shakespeare's time; for us it is worse, and the unrepublican image is inadmissible. To *beweep* anything is also contrary to our manners; if tears ever escape us it is not ceremoniously nor as a fit accompaniment to magnificent lamentations. As to *men's eyes*, we look through our eyes, but seldom talk through them; and if we wish to shake

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simply avoid the man; or if we are inclined to be offensively demonstrative, we cut him. The word *outcast* is still current; but the background which gave poignancy to that metaphor belongs to a bygone age. No one can be easily excommunicated in our tolerant society. If one circle disowns him he will slip into another, perhaps with relief, and find it no less self-respecting, even in jail; and if he makes bold to flaunt his crime or his heresy, he will excite more interest than loathing, and a party of sympathizers will probably flock to his side.

No less obsolete is the habit of troubling heaven with one's bootless cries. Even the lover in the sonnet, though he might have prayed, would hardly have emitted cries; only in remote antiquity his predecessors in the art of troubling heaven may actually have wailed. Nowadays hardly anybody would pray in the hope of recovering his friends or his property by divine interposition. People certainly have recourse to religion, and often in a more desperate need than ever; but to modern feeling religion opens a second sphere of interest and hope, without being expected to further our worldly hopes and interests.

In the body of the sonnet there are a number of phrases which, without being in the least archaic, have a certain grand sweeping air and *panache* about them quite foreign to our experience. The word *art,* for instance, to most Americans suggests the profession of painting; the intended faculty of doing all things easily and well would have to be called ability or skill, or more pungently and characteristically, *brains.* This single transition from art to brains speaks volumes. Again, while no nation was ever more hopeful than America or more optimistic, to say *rich in hope* is to give the matter a different twist. You are optimistic when you take for granted or religiously assure yourself that the future, whatever it may be, will be all right, and will somehow grow better and better. You are rich in hope when you have great and definite expectations, are heir or aspirant to an exalted position, and can picture in a concrete form the happy future before you. So a bridegroom is rich in hope on his wedding morning, or an expectant mother when making bibs for her first-born; but the optimist may be as poor in hope as in experience.

Similarly the phrase *I look upon myself* expresses something different from our self-consciousness. It describes the shock of suddenly seeing yourself as others see you, as when you unexpectedly come upon yourself in a mirror. The poet is borrowing men's eyes in order to consider and pity himself; he is not retreating into a psycho-

The eleventh and twelfth lines will have to be sacrificed in their entirety. There are no larks in America. There is no heaven in modern cosmology such that the blue sky in which larks sing should be called the gate of it. And what hymns could the poet have been thinking of? Christmas carols, perhaps, or such as the choir of Magdalen College in Oxford greet the sunrise with on May morning from the top of their lovely tower. In any case they were pre-Puritan hymns, hymns of joyful familiarity with a religion sweetly and humanly miraculous, hymns not associated with drawling tunes, funerals, or a vague sense of constraint and edification. For these two lines, therefore, we must substitute something wholly different, yet as nearly equivalent as possible. I can think of nothing domesticated in America nearer to larks and to bright religion than music is. So orchestral strains shall take the place of larks, with profound apologies; and in speaking of music we may perhaps slightly inflate the poetic bellows, since modern shyness does not attack our souls so much in that invisible wilderness.

As to the final couplet, we may still talk occasionally of being as happy as a king or as drunk as a lord, but whatever seduction there may once have been in those images, they have paled. Something of far greater moment, however, lies submerged here. The unsophisticated reader may pass approvingly over the phrase *thy sweet love,* as if the poet might just as well have written *our sweet love* instead, meaning that mutual, complete, hearty, happy, plebeian love which alone should figure in our revised American version. Yet as a matter of fact the sentiment and pathos of the original are profoundly different, being charged with the most exotic metaphysical overtones. If we compare this sonnet with the rest of Shakespeare's, and consider the W. H. to whom at least by a poetic fiction they were addressed, it becomes evident that *thy sweet love* can only mean *the sweet love of thee,* a love which the poet did not and could not aspire to see returned. That ornate and exuberant age had so much passion to spare that it could think it but graceful adulation for a poet to address the intensest and richest effusions of love to some insipid youth in a high station. And behind that lavish play of expression (for perhaps it was nothing more) we must not ignore the possibility that the passion expressed may sometimes have been real, at least in those who first set this literary fashion; and in that case, seeing that even if graciously tolerated, such adoration could not possibly be mutual, we are at once transported into the dim sanctuary of Platonic love,

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to communicate a supreme and sufficient bliss to the worshipper, with all those moral and saving effects which this sonnet, for instance, celebrates. The lover in his infatuation, and in the religious chastening of it, is said somehow to find God. Humbug or philosophy, this Platonic mysticism has long been a classic refuge of hopeless emotion, and Shakespeare's sonnets march conventionally in the devout procession. Such ambiguous mysteries, however, are alien to modern sentiment and to the plain man's experience, and we may shut them out without further parlance.

Plucked of all its Elizabethan feathers, our sonnet might then present somewhat the following appearance:

> When times are hard and old friends fall away
> And all alone I lose my hope and pluck,
> Doubting if God can hear me when I pray,
> And brood upon myself and curse my luck,
> Envying some stranger for his handsome face,
> His wit, his wealth, his chances, or his friends,
> Desiring this man's brains and that man's place,
> And vexed with all I have that makes amends,
> Yet in these thoughts myself almost despising,—
> By chance I think of you; and then my mind,
> Like music from deep sullen murmurs rising
> To peals and raptures, leaves the earth behind:
> For if you care for me, what need I care
> To own the world or be a millionaire?

The reader may laugh, but I have not made the sonnet absurd on purpose; on the contrary I have tried to keep it as good as possible under the conditions imposed. The experiment is not intended to show how an American poet would actually feel or treat Shakespeare's subject, for he would either compose fine imitative literature, with a lapse here and there which he might not be conscious of, or else he would give birth to something entirely novel. The experiment is meant only to make evident how much old finery there is in our literary baggage, and how original an original poet would have to be. Any wise man of Shakespeare's time might have prophesied that ruffs would no longer be worn in three hundred years, but only a genius could have foretold our trousers. So any critic may unfrock Shakespeare, but to dress his thought up again in the costume of a future poetry can be given only to the future poets themselves.

GEORGE SANTAYANA.

Reading Henry James in War Time

"WELL," said my companion, "shall we go down and have a look at the sea before bed?" "Let's look at the night first," I answered, "for it seems very black." We opened the hall door and stepped into such a still darkness as I have rarely felt before; save where the glamor of the sea trembled beyond the edge of the cliff, the night closed in on the land with the soft opacity of velvet. "No, it's certainly no time for a walk," said my companion. "Listen!"

We stared upwards, and then, perceiving that the gaslight from the hall was pouring out a shallow stream of radiance across the greasy garden path, ran back and shut the door. "Oh, I don't think it can be!" I exclaimed incredulously, as I fixed the bolts. "It's much more likely to be a heavy motor on the main road." "But I know," she persisted. "I saw one go up when I was at school in Germany, and it sounded just like this." I stood upright again and listened and was entirely convinced. So, smiling with a curious fixity, we returned to the fireside and discussed the proper attitude to assume to that death now circling above our heads.

The only instructions that had been issued by the authorities had advised us to descend into a cellar or basement, but there were none [illegible] It was not long before I came upon certain

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nothing to do except to reflect on the extreme dubiety of the advantages of belonging to the sheltered sex. We have always been denied the vote because we do not take part in war; but now that the war arrives we find that this exemption applies only to the privilege of self-defence and that we enjoy to the full the right to be killed. We would have been rejected with jeers if we had tried to enlist in Kitchener's army, but indeed it would be much more satisfactory to come to an end after a fair fight in the trenches than to sit there, helpless as sheep in a slaughter house, while the protecting sex, safely out of reach, pours down death from the clouds. But that topic soon wore thin, and we each took a book and went to bed, keeping our clothes on in case the protecting sex should aim straight. I felt myself supremely fortunate in having Mr. Henry James's last volume, "Notes on Novelists," in the house, since one could hardly conceive of any author more capable of providing intellectual cover. And for a time I hid from fear quite effectually in the branching complexities of aesthetic theory, the intricate undergrowth of subtle perceptions of the earlier papers in the volume.

Mr. Henry James's latest style. I approached them in different ways. I read them as if they were written in a foreign language, treating obscurities as idioms and translating every word into my colloquialism. More desperately, as the hours grew smaller, I pretended that it was all right, and tried to send my intelligence winging up beside his soaring phrases, as though their flight was to be followed with composure. But the more I did so the stronger became the conviction that these divagations were not the gambols of a winged intellect in an element over which it had full command, but rather the disordered earthward spirals of wings so overworked that free and happy flight had become an impossibility. Every paragraph made it more clear that this later prose was the altar of a bloody sacrifice, on which everything that had in the past made Mr. James's prose living and radiant, a glorious part of the organic world, had been ruthlessly offered up to an increasing fineness of meaning. Gone was the loving command of the color of language which was shown at its most precious, perhaps, in "The Spoils of Poynton," in which we saw the bright "art tint" with which the abominable Brigstocks varnished the corridors of Waterbath, with a distinctness that, contrasting with the not less distinct glories of the Spanish altar-cloths and Maltese crosses of Poynton, gave us the final conviction of the importance of the battle which formed the idea of the story. Gone was that rhythm which made "The Altar of the Dead" sound like a solemn and consoling mass, and its worshippers seem not sentimentalists hugging an affectation, but earnest mystics.

All these aids to the ultimate significance of his work he has sacrificed to a desire to hammer out the immediate significance of each sentence to as thin a radiance as gold-leaf. He splits hairs till there are no longer any hairs to split, and the mental gesture becomes merely the making of agitated passes over a complete and disconcerting baldness. One does not deny that these excesses are incidental and that the prose still has a loveliness of its own; but it is no longer the beauty of a living thing, but rather the "made" beauty which bases its claims to admiration chiefly on its ingenuity, like those crystal clocks with jeweled works and figures that moved as the hours chimed, which were the glory of mediaeval palaces, and which so unaccountably fail to kindle our enthusiasm when we go abroad to-day.

One perceives in the essay on "The New Novel" that this forgetfulness of free and lively movement impedes his matter as well as his manner. There he takes four young English novelists, and way from which, one would have imagined, the first reaction of his literary nerves from the stimuli of their marked though different personalities would have delivered him. Three of them are young men who are mentionable figures entirely by virtue of their ingenuous youthfulness: Mr. Hugh Walpole, engaging us chiefly by his naïve habit of trying over the formulae of older successful novelists, much as a boy rapturously practises the peculiar throw of some famous bowler; Mr. Gilbert Cannan, being at that stage of artistic adolescence which understands the recipe for realism to consist in taking up the carpets and showing the bare boards; and Mr. Compton Mackenzie, attracting our attention by his spirited attempt to reconcile in the copiousness and preciosity of "Sinister Street" those two apparently irreconcilable enthusiasms of a still earlier stage of adolescence, Balzac and the Yellow Book. Yet Mr. James treated them separately and conjointly with thousands of sentences which proliferated into less numerable parentheses, and even a few of those rare, precious italics, of delicate emphasis and accumulated to an almost choral effect of admiration and respect. And when, in the midst of our amazement, we see that Mr. D. H. Lawrence, the only author of this youngest generation who has not only written but also created, and created with such power that he would be honorable in any generation, receives nothing but a scornful parenthesis which depicts him "hanging in the dusty rear" of Mr. Cannan and Mr. Mackenzie, we realize that we have witnessed a real failure of enlightenment. How is it possible, we ask, that Mr. James should not approve an author who has given us such beauty as brims over in "Sons and Lovers"?

Almost certainly we may ascribe both this misjudgment and the deteroration in style to the same cause, which is as fundamental a thing as Mr. James's conception of the duty of an author. He belongs to the school of Flaubert, the school which held that the author's first concern was with his style; and by that they did not mean merely the treatment of their themes in an appropriate manner. One can prove that by an examination of "Madame Bovary." Assuredly Flaubert did not embark upon the study of that poor vaporish little housemaid under any illusion as to the beauty and importance of her existence. He chose it simply that he might use it as a grindstone on which to whet his qualities; he sought full knowledge of Emma's being in order that he might by that fraction be nearer to omniscience; he transmuted that trivial life to important elegance in order that he might exercise his power of refinement.

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portant than the effect of the book. For it was the author's duty not to discover beauty but to attain to personal magnificence; to tower above life in tranquillity, and look down upon it with infinite understanding; to be a god in one's brain. To that ambition Mr. James has—one almost wrote sacrificed himself, but it is not that. It is true that he has learned to hold the beauty of his sentences as nothing so long as he can manifest a superhuman comprehension of every aspect of his argument. It is true that he has learned to detest the ungodlike attributes of humanity so intensely that he qualifies a man of the genius of Mr. Lawrence because his youthful tongue occasionally falls into excited schoolboy stammerings about sex, while Mr. Cannan and Mr. Mackenzie gain his respect because, having nerves more stable (as they are less sensitive) than Mr. Lawrence, they attain to a greater dignity. But indeed he has succeeded as splendidly as poor Flaubert, with his museum of superb and tarnished treasures, failed. The presence of this marvelous brain, manifested in those innumerable volumes, brings such reinforcement to our faith in the intellect as the pious would find in the company of a saint.

I had once felt it as an alienating quality of Mr. James's genius that his work showed an inhuman incapacity for enthusiasm, that he disliked and refused causes coolly as other people dislike and refuse seed-cake. But as the throb of the Zeppelin returned and I knew again the helpless rage of the non-combatant, the sick fear of instant death, I realized that enthusiasm was not so necessarily divine as I had thought. For those murderers by intent who were circling above my head in an attempt to locate the lightless town for purposes of butchery were probably burning with as pure and exalted a passion as they could conceive. This war has shown that every warm passion—loyalty, patriotism, ambition—can be perverted to obscene uses. Nothing is innocent in man except the mind.

REBECCA WEST.

London.

"On the Loose"

IN one of the stories of that excellent ethnographer, Arnold Bennett, figures an organization of one of the Five Towns called "The Going Away Club." One day when the wife of one of its members is all but broken down by the dreary monotony and routine of her married life, a life of material pinching and spiritual starvation with never a break or diversion—one day her unyielding and saving husband flings down on the table a handful of money, a paid-up policy from the Going Away Club. On this fruit of their weekly premiums they will now, he says, take a vacation. They go to a "holiday resort," they take in all the shows, they live *en prince,* spending as much money on one afternoon tea as they could have lived on for days at home. Then, after their week of hectic extravagance, they return home, happy and bankrupt, to go on with their monotonous life and make their regular payments to the organization that will assure them another period of debauchery another year.

It is a very graphic picture of the alternative often characteristic of toil and pleasure in primitive life—unbroken routine, unemotional repetition, and then an outburst, satiation, excess, material and emotional debauchery. We see it in the laborer who works hard all week to spend his earnings of a Saturday night in the "pub" or saloon; in the sailor or miner on [illegible] and have "a hell of a good time;" in the college boy who breaks training at the end of his final match, in the Australian Blackfellow who breaks through all the most binding of his tribal rules at his periodic *corrobboree.*

Thanks to different economic conditions, the daily life of the Blackfellow is not as regular as, let us say, the life of a native of the Five Towns, but it is equally undiverting and quite as habit-bound. The Australian sense of time is not as nice or as subject to control as the English, but it is even more exacting. The license of the Australian is sexual as well as dietary. English public opinion is a check along this line—at least for members of the Going Away Club. But sexual license does characterize the Anglo-Saxon outbreak against habit—consider the sex phenomena of "revivals," or the indulgence given sailors in port and soldiers on leave. And then does not the whole system of prostitution depend in fact on the craving for an outbreak? Is it not supported by the men who in their daily life have less sex stimulus than the men who never visit a house of prostitution, by the men whose relations with women are slight or trivial or unimaginative, whose personal relationships are negligible? A man in love does not visit a house of prostitution.

The main difference between modern and primi-

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of "commercialized vice" offers opportunities for a man to "go on a bust" whenever he individually feels the impulse. The license of the savage has to be more cooperative. It is the difference in the forms of trade made by barter and by money; the difference between fairs and shops. There is still, however, something gregarious about modern "busts." Sundays and holidays are a social provision for a gregarious kind of "bust," and Sunday and holiday recreations are as a rule gregarious. Coney Island, for example, is a country-wide form of gregarious Sunday "bust." Public "celebrations" are another form arousing the emotion the routine of the unimaginative private life fails to arouse. Natural catastrophes also furnish onlookers opportunities for an emotional outgo, and the more stolid the onlooker the more welcome the opportunity. The newspaper headline on disaster by flood and fire, by tempest and earthquake, caters to this demand. Contributions to the Red Cross are often, I suspect, another expression of this kind of emotional debauchery. So is the vicarious interest in minor individual catastrophe or crisis, the interest in marriage and divorce, in suicide and murder.

But war is the "bust" par excellence—alike for those who go and for those who stay at home. It is the greatest of gregarious forms of excitement. It sweeps people off their feet; it carries them along; it gives them something to think about, or rather feel about; it brings people together; it makes them forget themselves. The more monotonous the life, the stronger the appeal war makes. The duller the nature, the more welcome the appeal. The less a man finds to stimulate his imagination in daily life and the less imagination he has to be stimulated, the crasser and the more unusual the stimulus must be. And yet too unusual it may not be. To be enjoyable war must not upset the deeper-seated habits nor exact spiritual adjustments. It must not startle us with new ideas or distress us with new feelings. It must appeal to us only in what, as we say, is elemental in us. It may stir us to the very depths, but to new heights it may not call us.

As for the shock of the material adjustment war requires, it is mitigated by enduring it either collectively or with the backing of the community. It is much less trying to a woman to go with a neighbor and, with her, drop her jewelry in the melting-pot of government, than to dine with that same neighbor the only guest unbejeweled. It is much pleasanter to literally share a crust with a hungry friend than because of the ill turn of butcher or of cook to have had to omit a dish fered together that they are tolerable—and from the same point of view for non-combatants more intolerable. Non-combatants have far less gregarious support in their suffering. Herein we may find one of the reasons women are less warlike than men. Another reason for their comparative pacifism lies in their disinclination in general for periodic debauch. Women do not go on "busts" like men—perhaps because they are comparatively incapable of or unused to, steady, protracted effort; scatter-brained and volatile, they feel no need of breaking bounds.

Not only are the hardships of war tolerable, suggests a discerning critic, Emily James Putnam, but they are alluring. For the satisfactions of collectivism are not insignificant among the baits of war, at least to modern men. The burdens of individualism modern life imposes are great. It is personal responsibility which wears us out, and from which almost any escape is welcome—the civil service, factory drudgery, the church, the army or navy. But outside of these resorts of the would-be irresponsible there are numberless positions straining the human machine almost beyond endurance by their demand upon it for some measure of personality. To all such overtaxed machines war offers an irresistible opportunity of escape.

ELSIE CLEWS PARSONS.

When We Went to School

A RECENT correspondent in these columns declares that the real puzzle in education is as to content. She asks us to outline the facts we have found of value, so that she may be sure, as she confesses she is not now sure, what children should know when they leave school.

I search the memory of my nine years in the public schools, and wonder what I really learned there. I must have learned to read and write and spell and work sums, for I can do all those things now; but I came out with no connected sense of my country's history or that of any other, and if I had any geographical grasp, it came only from a certain abnormal delight I took in poring over maps by myself. Algebra, geometry and physics I recall to have passed before my attention. I was a very dutiful child, and it was my moral rather than my intellectual sense which enabled me to get "marks" in these subjects. I cannot say that they were "learned," in the sense of being woven into experience in any way. Latin rather appealed to me, chiefly because of its elegance of form, which

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text-book we used. Certain English classics appeared like dim ghosts on my horizon. At no time could I have given an intelligible account of the plot or argument of any of the books we read in Latin, Greek or German. The French and Italian which I picked up later I can read more easily than the German upon which I spent three school years. Imagined geographical wanderings, the disentangling of some verses of Vergil, certain neat algebraic solutions, are all of my "learning" that excited my interest or enthusiasm. Nine years seems an unconscionable time to spend learning these simple things.

I conclude that there is not much use teaching children things that they will not assimilate with their own curiosity, and connect with what they consider worth while in their world. In my own case this curiosity rarely worked in school. I cannot defend its algebraic and Vergilian workings except as springing from some embryo aesthetic sense. But the geographical enthusiasm is perfectly intelligible. It is connected with that intellectual education which I was pursuing parallel to my school work, and which merged with it only occasionally. This unofficial education, begun at a very early age, came through the medium of the newspaper. The New York *Tribune,* lying freshly on our doorstep every morning, was gathered in like intellectual manna by my small and grateful self. It told me daily of a wide, fascinating and important world, and to it I reacted with never failing curiosity. On the political events, personalities, foreign wars, riots, strikes, plays, books, and music that streamed disorganizedly through its columns, no school subject threw any light except geography, which at least enabled me to place things on the map. History, which might have helped, was taught, not backwards, in the order that one's curiosity naturally approaches it, but forwards, so that at no time did we get within hailing distance of the present.

My real education, as I look back on it, consisted in making some sort of order out of this journalistic chaos. I got some help in the debates on current events which a radical superintendent introduced into our high school. I remember pulverizing, at the age of thirteen, my opponents in debate, with proofs that a ruthless dictatorship was the only form of government possible in the primitive state of Santo Domingo. Our household, however, was innocent of current discussion. The public library had not been born. I had to plot out this larger world by myself. Indeed, the grown-up people whom I sought seemed on the whole less familiar than I with the bearings of my curiosity. I cannot say that there

ance of the newspaper. It was all I could do to get the world mapped out, and become familiar with the names that I read. I remember following the Greco-Turkish War with a great deal of satisfaction, though the issues involved and the real military operations never meant anything at all. I got only the pleasant familiarity with this wider social world that one would get in meeting the same faces constantly in the street, without knowing the names of the people or speaking to them.

Whatever familiarity with the trend of events and the wider interests of men and women I had when I left school was obtained in this way. The school had been practically valueless in giving me the background of the intellectual world in which I was henceforth to live. My framework was bony enough and the content flimsy, but the outlines of my interests were there, and curiosity enough to keep me ceaselessly at filling in that content. Nothing has occurred since that time to show me, through various vicissitudes, that it was not the most useful I could have. That its foundations had to be laid outside the school seems to me a sheer waste of educational energy on the school's part.

Boldly then, and in true egocentric fashion, I say that the child when he leaves school ought to have the foundations of interest in the events and issues in which people generally are interested. These practically all come within the attention of the metropolitan newspaper. The child should be equipped to get some kind of intelligent reaction to what he reads there about political and sociological events and issues, personalities, art and literature. No one could accuse a curriculum based on the newspaper of being aristocratic, esoteric, or ultra-cultural. The newspaper is the one common intellectual food of all classes and types in the community. Many persons, it is true, may react only to certain specialized departments, and yet even into the most rudimentary journals filter most of these larger issues and events. To use this stock as clues and work out the historical, geographical, and cultural ramifications in the school curriculum would provide this broad familiarity with the world the child is to live in which I suggest. I would not make the horrifying proposal that the newspaper be used as a school text-book. I am too well aware of that cardinal tenet of current educational morality which banishes the newspaper entirely from the school. There is something rather symbolic about that tenet, by the way. But to use a sort of generalized newspaper as the nucleus and basis of a curriculum would be a differ-

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child is to know. As far as the purely intellectual content of the school is concerned, it would do what so many educators desire, connect the school with life.

This ideal may be incredible, but it is not necessarily impossible. Take the child at its lowest terms, as a troublesome little person whom its parents send to school to get it out of the way of the crowded home until it is old enough to go to work. Then take the present curriculum, a medley of equally emphasized cultural, scientific and manual studies. Now the child certainly should have a command of the three R's before he is ten years old. Suppose then we transfer the mathematical and scientific studies to a place subsidiary to the vocational and manual work that is being so rapidly developed. They would be taken up, that is, only as the theoretical basis for this practical work. This would leave four or five years for the study of the history, geography, literature, language, and civics, before the minimum age at which the child in the more advanced states is allowed to leave school. There seems to be no inherent reason why a great deal could not be done in that time to prepare this imaginative background for the world we live in.

If "cultivating the imagination" means anything, it means ensuring that what one experiences in daily life will call up interesting and significant images and ideas. The public school sometimes attempts to cultivate a sort of literary and mythological imagination, but as for ensuring that those references to places, persons, books, political institutions, ideas, which occur in the papers and weekly journals, shall call up to the mind prompt, accurate, and stimulating images and meanings, it has been a dead failure. An exploration of the current imagination of the average person would be a curious and profitable enterprise for a psychologist to undertake. For the cultivation of this imagery, we are all left, as the child is left, to the chance provision of the contemporary news-provider, the illustrated paper and "Sunday magazine." Here is where we get our notions of things as they look and act.

Beyond all else the child should leave school with a wide and reliable imagination—not with facts or theories so much as pictures, sympathies, apprehensions, what we call "the feeling for the thing." Thus equipped, his curiosity will provide him with all the facts and theories he needs. The custom of teaching by subjects is as artificial and absurd as could be imagined. We do not think in terms of history or geography or language. If I read a foreign newspaper, all these are merged into one imaginative impression. We think in terms of situations, which have settings in time and place, and all sorts of fringes and implications. Unless the child is taught in this spirit, the isolated subjects will have no meaning. Without the imaginative background that fuses and vitalizes his studies, he will go out from school untaught and unknowing.

RANDOLPH S. BOURNE.

CORRESPONDENCE

From a Chinese Student

SIR: I read with great interest the letter from "A Friend of China," published in your Journal for February sixth. I heartily share his optimism that "the situation now developing may be of decided advantage to all concerned," but I entirely disagree with him in his notion of the ways in which his optimistic dreams are to be realized. He seems to hold that the solution of the Far Eastern question lies in Japan's taking a "responsible and effective direction of China's affairs." That, in my humble judgment, can never be the real solution of the problem.

"A Friend of China" seems to have ignored the important fact that we are now living in an age of national consciousness. He forgets that even the Philippines cannot rest contented under the apparently "beneficial" rule of the United States. In this twentieth century no nation can ever hope peacefully to rule over or to interfere with the internal administrative affairs of another nation, however beneficial that rule or that interference may be. The Chinese national consciousness has exterminated the Manchu rule, and, I am sure, will always resent any foreign rule or "direction."

Moreover, your correspondent has been too drastic in self-government and self-development. "The Republic," says he, "held up to the world as evidencing the regeneration of the East has proved, as was bound to be the case, a dismal failure. . . . China as a progressive state has been tried and found wanting. She is incapable of developing herself." So runs his accusation. But let me remind him that the transformation of a vast nation like China cannot be accomplished in a day. Read such books as John Fiske's "The Critical Period of American History," and it will be clear that even the establishment of the American republic was not achieved by a sudden and miraculous fiat. The Chinese republic has been no more a failure than the American republic was a failure in those dismal days under the Articles of Confederation. The Chinese Revolution occurred in October, 1911. Three years have hardly passed since the formation of the republic. Can we yet say, O ye of little faith! that "China as a progressive state has been tried and found wanting," and that "she is incapable of developing herself"?

I sincerely believe with President Wilson that every people has the right to determine its own form of government. Every nation has the right to be left alone to work out its own salvation. Mexico has the right to revolution.

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The Public Fair to the Schools?

SIR: Your article in the January thirtieth issue on "The Schools from the Inside" is an able and just note on lay criticism of the public schools, the sort of talk the schoolman needs and really wants. I assume, however, that you are speaking from the metropolitan viewpoint. The inference of your article is that this criticism has been salutary. My observation as a schoolman in a provincial city does not bear this out, and it is from the country and provincial school conditions that we must judge the system.

Assuming that the educational world resents outside criticism, there must be a cause. It is true that the average teacher is dogmatic, self-centered, immune to the influences of contemporary life, prone to professional testiness; but he is no more prone to bias than the average provincial minister or editor. Besides, these latter have their pulpit and paper from which they can consign detractors to Inferno, ignore issues, and destroy or pervert the truth. The teacher has no organ, no vehicle, no champion save his own self-respect.

If the teacher seems "particularly" prone to resentment, if he seeks refuge within his own professional pale, he does so from the same motives which prompt the physician or the lawyer to his own defense. In fact, does the public question the professional expertness of this type of gentleman? *Does it, indeed, presume to doubt the knowledge* of the civil engineer, the electrician, the manufacturer, the plumber, the cook? It gives men in these capacities of special training the presumption of merit, honesty of motive, and skill. But the teacher, the principal, and the superintendent it looks upon with doubt and suspicion. It says that all the teacher is interested in is boasting his possession of a college degree, and having his salary raised; the principal and superintendent are banded together into a close corporation to foster pet schemes and to shunt off criticism. The opinion of the teacher on general topics is taken with a shrug and a complacent apology for one who associates with immature minds.

Another cause of this "resentment" on the part of the teacher is the self-assumed ability on the part of the public to pick to pieces the school system on any and all occasions. It is the one thing it claims to know the most about, and to have the right to condemn, to heckle, and to keep in a continual turmoil. Members of school boards, with minds absolutely closed to new ideas, will vote down with monotonous regularity every project for bettering the schools merely because it costs money, without listening to any exposition of its merits by the superintendent who is paid to study the matter and present an expert opinion. Parents decry a topheavy school curriculum, demand the "three R's," and in the same breath blame the schools because they do not train John in the things the home neglects, or because they do not give him enough to do so that he will not run the streets.

Another cause of this "resentment" is in the hostility of the press to the public schools. Catholic editors, or any editors influenced by favored constituents, print anything derogatory to the schools in their town so long as it prejudices the public. They will relegate to fine print or an obscure corner meritorious achievements of the schools, and exploit on the front page student escapades often innocent, but exaggerated beyond recognition. Editorial columns sneer at the professional skill of the teacher, read base motives into any effort at defense, and harp away on the one

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of study, designs of school buildings, items in the school budget, comparisons of the working hours per day, week, and year of teachers as compared to clerks, policemen, and iron workers, and a lot more gratuitous advice on the part of the editor, when he has never visited a school, conferred with a school official, or given five consecutive minutes of intelligent thought to the details the educator has spent years of study in mastering.

I have seen little of the rivalry of which you speak among communities desiring to excel in the erection of ornate buildings. On the contrary, I have found them bickering for years on the matter of land sites, architectural restrictions, and details of curtailment, and then finally erecting a building which in three years is overcrowded. Citizens, editors, and school boards will quibble for months on the need of paring down school estimates, but vote complacently for million-dollar city halls, court house and jails. Meanwhile, until the powers that be can agree on what they want, public money is spent on portable buildings, and in remodeling business houses to accommodate congested conditions.

If the teacher seems prone to particular resentment of outside criticism it is because of these three factors in moulding public opinion against him. The public itself, from a traditional prejudice against the professional skill of the teacher, failing to accord him that social and intellectual status granted to every other professional man, nullifies his influence. The public itself assumes a natural, God-given right and ability to direct the work of the public schools better than those whom it pays. The press, by perverting the functions of its news columns and shirking the responsibility of its editorial columns, contributes to a narrow, unfair, and culpable public opinion.

J. MILNOR DOREY.

New York City.

Quoted from the Court

SIR: In discussing "Normal Inequalities of Fortune" in your issue of February sixth you employed the following phraseology: "The 'due process' of the constitutions can never be other than a means by which courts exercise legislative functions; they pass upon the propriety of what the legislature does, and to do that they must judge by what they think wise and just and necessary." And more of a similar tenor, with all of which I agree. It is in order to fortify your contention, if such were necessary, that I am sending you a quotation taken from the decision in the famous case of McCullough *v.* Maryland (17 U.S. 315) rendered in the Supreme Court by Chief Justice Marshall in February, 1819. The portion of the paragraph alluded to is as follows:

> But where the law is not prohibited, and is really calculated to effect any of the objects intrusted to the government, to undertake here to inquire into the degree of its necessity would be to pass the line which circumscribes the judicial department, and to tread on legislative ground. This court disclaims all pretensions to such a power.

Although it is true that the Court may have continued in disclaiming all such pretensions, it might well have kept more clearly in mind of recent years the first suggestion of the then Chief Justice.

Mainly Paralysis

The Shadow, a play in three acts, by Dario Niccodemi and Michael Morton, first presented at the Empire Theatre, New York, January 25, 1915.

WHY, the humane reader sometimes inquires, does the critic dwell on things he dislikes and aim so venomously to be destructive? If a play is weak or clumsy or dull, why does not the critic ignore it? What is to be gained by destructive criticism? If it is impossible to praise a play, why say anything at all?

After witnessing "The Shadow," I repeat that query, why say anything at all? Clumsy and dull, it is one of those plays which not only should not but probably cannot survive. Why not leave it alone, and find something else more worthy of a noble and receptive spirit?

For an answer to this puzzle one may go to the body itself. Sad would be the body in which the fratricidal germs were victorious, but equally sad would it be if it had no destructive agents at all. The destroying agent may not inspire the loftiest feelings, but in spite of his humble character he is an indispensable servant of progress. It is characteristic of the pawky Scotch that they identify their urban civilization with their phagocytic activities. In that laconic masterpiece, the Scotch census report, the people are divided into two groups, those who live in the area that is scavenged and those who live in the area that isn't. Nature does the work in the rural area, but in the urban area the work devolves on man. In the region of drama, so short is life and so limited the human faculties, it would be impossible to thrive if selection were merely left to nature. If the critic acts as a phagocyte, it is in the pious interests of an organism that would otherwise be poisonously crammed.

On Miss Ethel Barrymore's account, "The Shadow" excites curiosity. It may be unfair to suppose that because Miss Barrymore has been charming in previous plays she will also be charming in "The Shadow." It may be unreasonable to expect that because she has so often played in attractive dramas this drama will be attractive as well. But unfair and unreasonable though it be, the fact that Miss Barrymore is presented in "The Shadow" creates a curiosity which nothing but a personal impression can satisfy. To derive that impression from the play itself is the natural impulse of the curious. But in the case of "The Shadow" it is an impulse hardly worth gratifying. Personally, I should not have been happy till I saw it. But having seen it, I could no more recommend it to a friend than I could sell to a trustful widow my beautifully printed share in Western Rands.

Partly in deed, partly in word, "The Shadow" is unfit for consumption. Given that the characters live in the beautiful but decadent capital of France, we are willing to admit that the situation is credible. The establishment to which we are introduced is that of a childless married couple, Gerard and Berthe Tregnier. When Gerard married Berthe, fifteen years before we meet them, he was starting on his career as a painter and authority on art. In those fifteen years he had attained reputation and success. Devoting ten years to a work on the renascence, he also developed as a painter, and stood in line to become general curator of the museums of France. A pundit in the world of art, his home life had been perfectly happy until, after nine years, Berthe developed a nervous malady which rendered her invalid. At first spending endless time and money in trying to have her cured, Tregnier eventually came to realize that, so far as love was concerned, he had left the land of honey and was setting out with her on an endless journey through a tedious and profitless desert. Deny it as he would, the creature whom he had loved sexually was dead. On that side he had become a widower. To the creature who survived he felt and gave continuous devotion, but after a time the emotions that she had ceased to employ began once more to be active, and found for their object a friend known to both, Mme. Helene Preville.

It is here that the drama begins to puzzle one. If the lines mean anything, there is nothing in Mme. Tregnier's situation to justify her husband's assuming that she had ceased to exist as a mate. It is true that she had lost the use of her arms and legs, but, sitting in her invalid chair, the one desire that consumed her was the desire to be restored to health in order to satisfy her husband. That this confidence should be imparted to the audience rather than to the husband is characteristic of the theatre, but it rather damages our faith in the necessary supposition that Berthe and Gerard had ever been really at one. That physical paralysis in the woman could cause emotional paralysis in the man is certainly conceivable, but it is a point that the dramatist assumes too easily. There is an unflattering contrast between the death of Gerard's affections and the extreme liveliness of his wife's. It suggests that Gerard liquidated rather too readily a relation which was mortgaged by disease.

But if the dramatist failed to provide excuses for the unfaithful husband, Miss Barrymore came nobly to his rescue. Unable to demonstrate for us the whole course of Berthe's disease, she confined herself to a summary of its results, and these were certainly colossal. If her behavior under our observation was typical, it may be roughly computed that in six years Berthe wept for 35,040 solid hours, producing on an average five lachrymal tons a year. She spoke and acted as if she were "paralyzed" in a sense irreverently colloquial. Piningly querulous and shrilly hysterical, she forced one to believe that between paralysis and chronic alcoholism there is very little to choose.

Intelligent as Miss Barrymore is, I cannot believe that the dramatist wished Berthe to be the neurotic monstrosity that she so gratingly portrays. Judging by the lines and by the sound performance of Mr. Bruce McRae as the husband, it seems far more likely that the dramatist intended Berthe to be a pathetic invalid, and that it was not in hysteria but in high emotion that she invited the Lord to give her back her disease when she found her husband's baby by the other woman in her husband's studio. Certainly it is with the idea of affecting us sentimentally that Berthe ends with the melting words, "In life true happiness often lies in tears." It was perhaps a genuine attempt to give validity to the drama that led Miss Barrymore to make the paralytic so grotesquely emotional. But the grotesqueness rather than the emotion is what comes through. It is, in its way, impressive, but it is impressive in the same way that the noise of a nail scratched on glass is impressive. It makes our flesh creep, but our flesh creeps because our nerves are unpleasantly jarred, not because our blood runs cold. "The Shadow" is strong only in the sense that an odor is strong. We wince, but for the wrong reasons. And our sympathy is not won by Miss Barrymore's copious weep-

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Books and Things

DUMAS fils seemed shockingly naturalistic to some of his contemporaries. The trivial lifelikeness of his dialogue revolted them. Remembering this, nowadays, we smile. Listen to Montaiglin, in the last act of "Monsieur Alphonse": "O cœur humain, changeant comme la mer, profond comme le ciel, mystérieux comme l'infini! (Tendant la main à madame Montaiglin.) Ma femme! (A madame Guichard.) Mon amie!" Contrast this with an act-ending from Galsworthy's "Eldest Son," written in 1909. Freda, the game-keeper's daughter, has been telling Bill Cheshire, the baronet's son, that they are going to have a child. Bill walks to the fireplace and grips the mantelpiece. Then he says, "By Jove! This is ——!" and the curtain falls. Such a contrast measures the change in our notions of naturalistic dialogue. Dumas outrages these notions in other ways, by the prevalence of his wit, by the brilliant, orderly, declamatory speeches—the most famous being the pèches à quinze sous tirade in "Le Demi-Monde"—in which his raisonneurs deliver their lectures upon what Dumas means.

Perhaps no very great wit could have self-denial enough to achieve what we nowadays understand by naturalistic technique. It is certain, however, that if he did succeed in becoming a naturalistic dramatist he would let only a little wit into his plays. He would be as shy of it as he is of coincidences, eavesdroppings, asides and soliloquies. Augier is not afraid of asides. Maître Guérin, in a scene with Cécile, says all this to himself: "Diantre, son premier mot va donner l'éveil à mademoiselle Francine, qui, une fois au courant de l'affaire, lui vendra Valtaneuse cent cinquante ou deux cent mille francs, et remboursera Brenu. J'en ai trop dit . . . ou pas assez." He was right the first time, from the 1915 point of view. In Ibsen's later prose plays there are no asides. How many soliloquies are there in Ibsen? Very few. Hedda Gabler, while she is burning Lövborg's manuscript, says only a few words: "I am burning your child, Thea, your child and Ejlert Lövborg's.—Now I am burning the child." In "Ghosts," after Regina has bedeviled Pastor Manders, and then left him alone, he goes to the window, puts his hands behind his back, looks into the garden, turns, walks to the table, and reads to himself the titles of a few of Mrs. Alving's free-thinking books. All he says is, "Hm—so!"

These rules are all negative. Mere obedience to them wins as much lifelikeness as can be won by avoidances, and no more. A play might be written which observed them all, dealt with life on another planet, and sounded here below like fantastic nonsense. A play which disregards them all, which is full of asides and soliloquies and witty lecturers, may have a profound meaning immediately applicable to your life and mine. In practise, however, we find that many moderns do follow these rules pretty closely. The greatest modern playwright, Ibsen, took no end of pains to make his speech sound everydayish. He even tried to differentiate the tone of dialogue supposed to be spoken in the morning from the tone of dialogue supposed to be spoken at night. A nicer ear than mine is needed to estimate the degree of his success, and also some knowledge of Norwegian. Ibsen took great pains, too, to keep himself and his opinions from expressing themselves directly in his plays. "There is not in the whole book," he wrote of "Ghosts," "a single opinion, a single utterance, reader that he was witnessing something real. Now, nothing would more effectually prevent such an impression than the insertion of the author's private opinions in the dialogue."

Ibsen sought everyday lifelikeness. That is why part of his technique is naturalistic. But it has other parts which are not naturalistic at all. In everyday life people don't keep talking, like Nora, of "the miracle"; or like Hedda, of "vine-leaves" in somebody's hair; or like Alfred Allmers, of Rita's "gold, and green forests," of going "up to the peaks and the great waste places." Such refrains or *leitmotifs* do not sound through real life. As for symbols, people with eyes to see do see them now and then, but they don't see such symbols-of-all-work as the wounded wild duck which does so much adumbrating in the play. An action in everyday life is seldom illuminated by a symmetrically contrasting minor action, as the action of "A Doll's House" is illuminated by the Krogstadt-Mrs. Linden story, or the action of "The Wild Duck" by the story of old Werle and Frau Sörby. In "The Wild Duck" again, as Alfred Kerr has pointed out, the function of each character is assigned to him with mathematical exactness. Hjalmar is the self-deceiver, Gina the naïve liar, Gregers the lie-destroyer, Relling the lie-preserver, Frau Sörby the woman who makes truth-telling pay.

In at least one other respect Ibsen's technique is not naturalistic. He takes a long stretch of the past, as I have read somewhere, or perhaps written, and folds it over into the present. He does not bring us acquainted with this past by expository recitals. His characters let it out bit by bit. Ibsen is so cunning a contriver that these disclosures seem quite natural and casual, although in fact each bit of disclosure is timed to the exact moment when it matters most, makes most difference, changes most significantly our attitude toward his characters or their relation to one another. Nothing of the sort happens in everyday life, where observation, if it is to be so richly rewarded, requires weeks or months, sometimes years. What we learn so quickly about other people, in everyday life, we mostly learn by being told. Yet on Ibsen's stage, he being the most inordinately skilful technician among great dramatists, the bit-by-bit self-revelations into which he betrays his characters seem far more natural than Paul Hervieu's concentrated explanations, although we hear such things every day.

This last consideration leads me to wonder whether some of these rules are not a good deal too absolute. Words that actual men and women use, sentences they might actually frame, these are the naturalistic dramatist's medium. Life suggests scenes to him. Conceivably he may find in life, once in a long while, scenes he can put unaltered on the stage. Yet nothing would sound less lifelike as a whole than a play which reproduced the irrelevancies, the incoherencies, the lack of order, of suspense and of progress, which mark any two real hours. Only part of a naturalistic dramatist's technique is explained by his desire to give his plays as close a likeness as he can to everyday life. His technique has other parts, due to the necessity he is under of stopping short of phonography. He may start with a determination to change everyday life no more than he must if his work is to be recognizable as a play. But why mayn't he equally well start with the determination to change everyday life as much as he can without

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The Question of Justice

Concerning Justice, by Lucius A. Emery. New Haven: Yale University Press. $1.35 net.

IF a layman, relying on some bits of legal learning of half a century ago, were to write a book about the philosophy or theory of the law, lawyers deservedly would treat such a work with scant courtesy. But whether it is because philosophers do not occupy seats among the mighty or for some other reason, anyone who chooses may invade their realm and write about truth or justice without any qualms of conscience that these are matters of special and serious study. But while it is doubtful whether a philosopher has the right to protest against such invasion, he may at least report the results of it.

The first chapter of this book is entitled "The Problem Stated." In it we learn that the question of justice "has engaged the thought and fired the imagination of the greatest minds" (p. 8), but what precisely the problem is about it is hard to say. To the numerous questions that have been or can be asked about justice, the author tells us he is "not so presumptuous as to venture an answer" (p. 11). One, however, the question whether justice is a reality, he answers categorically by an "appeal to our consciousness, to our innate convictions, etc." (*Ib.*). This way of settling questions formerly taught in American colleges by the old Scotch philosophy, certainly has the advantage of sparing us the labor of analyzing our question and making clear to ourselves what precisely we mean by the much suffering word "reality."

On the basis of instinctive feeling we come to the acceptance of the view that justice consists in giving everyone his due or his rights. What are each one's rights is therefore the real problem.

This "Problem of Rights," which, we learn, "is also centuries old" (p. 31), is not directly answered in the next chapter, which is devoted rather to a polite mention of different opinions on the subject from "patriarchal times" (p. 31), down to Mill—the last philosopher, it seems, whom American jurists may mention by name. Here Judge Emery startles us by telling us that though the doctrine of natural rights has been "formally and officially iterated in the constitutions of many American states and has been proclaimed and involved as an impregnably established political truth," "nevertheless the doctrine is only a theory, not yet demonstrated nor undoubted" (p. 39). On the next page we are somewhat reassured by learning that "despite the vigorous arguments against the doctrine there remains the innate feeling [how comforting!] and a general belief that society abridges individual rights instead of conferring them."

But even this "innate feeling" does not quite satisfy the author, and in the third and fourth chapters he passes on from "the region of theory" to "the region of facts," intended to show that justice is the equilibrium between the freedom of the individual and the safety of society or the like freedom of other individuals. Just wherein the equilibrium between the freedom of individual and the safety of society consists, or how we are to determine whether a given law embodies such an equilibrium, we are not told. Modern philosophers who have no special fund of "innate convictions," will doubtless find it hard to discern the freedom of the individual "which would be his if he were alone in the world" (p. 55), but the difficulty probably does not exist for those who have power to take the general powers with which nature has endowed us (pp. 43 ff), and these powers it seems any gentleman of the bench or bar may describe without that vulgar intimacy with the experimental details or quantitative determinations which modern science regards as essential. At one point, indeed, Judge Emery tells us that the question how far society should go in regulating the conduct of individuals, is largely a question of expediency which may safely be left to sociologists and economists (p. 55)—but not altogether so. "It is also a question of rights, and hence of justice, since every action or non-action of society affects the freedom of the individual in the gratification of his desires or, in other words, in his pursuit of happiness" (*Ib.*). Presumably, then, questions as to what will promote human happiness are not to be answered by social science, but are to be left either to the "innate convictions" or the "judicial notice" of our courts.

The remaining chapters of this book proceed from the assumption that justice can thus be secured only by a government of constitutional limitations on the legislative power, enforced by an independent judiciary. The argument, with its implication that no other civilized nation—not even Anglo-Saxon England—enjoys the blessing of liberty and just government, proceeds along the usual lines which a hundred years of faithful reiteration have made somewhat familiar. The monotonous repetition is doubtless sweet and soothing music to the orthodox amongst us, though it must be confessed that it has lately lost the power to charm those in whom the virus of strange doubts and new ideas has entered.

The style of this book embodies the best tradition of the American literary essay. Despite the author's conviction that "in any inquiry into the nature of justice we get little help from the wisdom of the ancients" (p. 14), there is a generous amount of ornamental learning concerning the various opinions of different philosophers, written from a respectful distance and unmarred by undue intimacy with the subject matter. Why, however, a great university, which is sometimes supposed to exist for the advancement of knowledge, should publish a book which contributes so little that is new to the subject, it is rather hard to say. Possibly it is to emphasize the actual state of juristic learning and thought on the basis of which the leaders of the American bar are trying to educate the public as to the right solution of current political issues.

MORRIS R. COHEN.

Very Unenglish

The Orchard Pavilion, by Arthur Christopher Benson. New York: G. P. Putnam's Sons. $1.00 net.

Kitchener, Organizer of Victory, by Harold Begbie, Boston: Houghton Mifflin Company. $1.25 net.

IN a second-class railway carriage, going from Lausanne to Paris, I once passed a night of conflict. On my side were a Swiss who spoke English and an Englishman who didn't speak. Our opponents were two members of a Latin race. They wanted the windows shut. We wanted at least one window open. Our common cause drew the three of us together. At first the Englishman's expression had seemed to wonder whether the Swiss and the American were quite worthy to prefer fresh air. As the night wore on this expression waned, and I thought I detected a trace of sympathy in the glances he sparingly aimed at

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without a teacher, just by sitting near an open window, in a tub of cold water. At this the Englishman almost spoke. Morning came. He filled his pipe and began to hunt through his pockets for matches. The Swiss offered him a box. "Thank you," he answered gravely, "I prefer my own," and went on hunting.

Much reading of lady novelists has inclined me, whenever I travel abroad, to expect this curt, shy, silent Englishman. I always look for him, seldom in vain. You see him in Florence, "haughtily visiting her holy places." Along the Riviera he abounds, curt on the links, shy on the tennis court, silent in the billiard room. Wherever you find him, whether he has been breaking clay pigeons beside the Lake of Geneva, or has risked his neck on one of the Chamonix needles, there you find silence and shyness and curtness.

Such an Englishman is one of the few characters who are as frequent in real life as in light literature. While still alive he has entered into legend. This double life of his irritates a few of his fellow countrymen. Only by a reference to this irritation can I explain the existence of such a book as "The Orchard Pavilion." It must have been written to correct the notion that all Englishmen are curt and silent and shy. Mr. Benson makes one Oxford undergraduate say of another Oxford undergraduate, who "possessed the subtle thing called charm": "Roderick is like a little butterfly." The little butterfly is so dear to his friends that they don't like him to leave them, even for a couple of days. One of them, a Scotchman named Norman, with a "dry and rather uncompromising manner," tells him so. To hide his confusion Roderick stoops to examine a bed of violets. A moment later he says to Norman: "I nearly made a mistake just now. I very nearly picked a violet and gave it you, when you said that. It would have expressed what I meant; but you wouldn't have liked it." Years afterward, when Norman's daughter was born, he called the child Violet. More years later, when Roderick, aged fifty or so, is writing to Norman, he refers to the incident. "I am always rather touched when I think why you gave her that name."

For the rest, "The Orchard Pavilion" is a book of mild aspiration, of tepid out-of-door piety. Nothing but a facile, placid flow of words, rather pleasant when nature is their subject, quite savorless and saltless when life is. The characters are as reverent as Mr. Benson himself. "What is God about, if I may use such a phrase," says Roderick. Is there any objection to his using such a phrase? The chair hears none.

Mr. Harold Begbie's book has iconoclastic pretensions. His an infantile iconoclasm. Its method is to describe a Kitchener who never existed, except in the minds of the contemporary myth-makers, a curt, silent, machine-like, inerrant, infallible Kitchener, and then to say that the real Kitchener is different. What the real man is like, where the springs of his power hide, what the actual materials may be out of which the collective myth-making mind has fashioned its graven image of him, this you will not learn from Mr. Begbie. But about Mr. Begbie himself you learn a good deal. Kitchener may be as silent and curt and shy as the Kitchener of legend, but Mr. Begbie is none of these things.

Listen to Mr. Begbie on the death of Lord Kitchener's mother, born Chevallier: "Tragedy befell this household in the following year of 1864, for Mrs. Kitchener passed away from the gentle and familiar

to him a few pages further on: "Papa Kitchener was in France, married again and living pleasantly at Dinan." One more quotation from Mr. Begbie: "Moreover, to tell a little-known truth," Lord Kitchener "has been in love: but in this campaign he failed to organize victory." The lady in the case "is delightful, pretty and very clear-headed; she liked K. of K., was proud of his friendship, but could not be subdued by his will. She is now married, and is one of the great hostesses of London."

Mr. Begbie looks upon himself as a serious iconoclast, a serious reducer of stained-glass hero to the color and size of life. His method is largely gossip. He revives one's liking for old-fashioned virtues, such as reticence. He knows how to make frankness offensive to lovers of frankness. The pedigree of his book is by doubting Thomas out of peeping Tom.

Mr. Begbie and Mr. Benson, Mr. Benson in his soft-cultivated-facile way, Mr. Begbie in his impertinent-prying way, raise one's opinion of the English type they so widely depart from, namely, the silent. P. L.

Testimony Against Evidence

Italy's Foreign and Colonial Policy, by Tomasso Tittoni. New York: E. P. Dutton & Co. $2.50 net.

THE most difficult question which contemporary history presents is that of evaluating the testimony of the actors in the struggle. It is voluminous in amount, striking in character, and arouses the interest of the public to an extraordinary degree. What Sir Edward Gray or the Emperor William says seems to most people peculiarly important and cogent evidence; the statements of any man in public life appear to be valuable and significant. The actors on the world's stage certainly know what the truth is, and they might tell us everything that we should like to know. The public seizes eagerly, therefore, upon each new speech or article in the hope of discovering the cherished clue to the world's secret. Unfortunately, however, the mere fact that the actors know what the truth is does not in the least prove that they have chosen to tell us any of it. What they say would be extremely valuable if only we had some means of knowing that it was true; if we were sure it was true it would be extremely cogent evidence; but the mere fact that they say it does not necessarily prove it either true or cogent. It is in fact testimony rather than evidence, and we must judge from its form and its content the probability of its containing anything more than what the actors in the struggle, for reasons of their own, are anxious to lead us to believe.

Such a question is raised by the publication of the speeches of Signor Tittoni in the Italian Chamber of Deputies, delivered during his term of office as Minister of Foreign Affairs from 1903 to 1909. Signor Tittoni has been Ambassador to England and to France, and could claim friendship with the late King Edward VII. He was particularly concerned with the peaceful penetration of Somaliland and of Tripoli, and was in office at the moment of the annexation of Bosnia and Herzegovina. The translator has selected a few of his speeches (not all of those published in the Italian edition), and has grouped them in three parts: foreign policy, emigration, and colonial policy, of which the first section is the longest and to-day the most interesting, though by no means historically the most important. The pref-

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chief editor of *La Nuova Antologia,* has also been translated and forms a useful summary of Tittoni's principal ideas. It is worth noting that Senator Ferraris hopes that this volume of speeches may become a manual of Italian foreign policy. It is also an interesting and perhaps significant fact that the book is dedicated to Mr. Balfour.

To Signor Tittoni the Triple Alliance is essentially peaceful: "The Triple Alliance is eminently peaceful and has no character of offense against whomsoever, and only of defense against those who might wish to break the peace." When his opponents retorted that the Triple Alliance might then be considered quite useless since peace was desired by all, he reaffirmed his statement and insisted further that the Triple Alliance involved no engagements on the part of Italy which were at all inconsistent with the most cordial friendship with France and England. Again and again his opponents charged an intention on the part of Italy to break the Alliance, and each time he reiterated his belief that there was no necessity for choice between France and England and Germany and Austria, that friendship with all was entirely possible within the terms of the Alliance. This is a significant fact in connection with the present interpretation at Rome of the terms of the Triple Alliance. Apparently it has been understood for a good many years that a change of relations between the Triple Alliance and the Triple Entente would not necessarily require Italy to participate in the war. Tittoni, however, invariably scouted all possibilities of war between England and Germany, and waved aside as unnecessary any preparation for such an eventuality. He also condemned specifically and unequivocally the Irredentist movements. His colonial policy and his attitude toward emigration are more fully treated in this volume.

Despite his persistent declarations that he has dealt with complete frankness and sincerity with foreign governments and with the Chamber and has made public everything without reservation, it is difficult to avoid the conclusion that we have here not the truth, but as much of it as Signor Tittoni thought it advisable to make known. So far as these speeches go we need not doubt that they are true, but the testimony is not very valuable in connection with present issues, and will tell students little that they do not know already. The speeches do not form either a sufficiently consecutive or well arranged body of precepts to make the book the manual of foreign policy Senator Ferraris believed so necessary. Moreover, the translator was not sufficiently acquainted with English idiom to impart to his rendering the delicate nuances of meaning which are so essential in diplomatic documents. Even one comparatively ignorant of Italian can easily establish by comparison with the original the fact that while we have the words, the diplomatic flavor of the utterance is entirely lost, and it sounds bald, crude, and unconvincing. We can easily make allowance when he talks of the "military supremacy of the Adriatic," and see that "long permanency" means tenure of office, but when we read that foreign nations "may make assignment upon the continuity of our foreign policy," or that the Italian government "should affirm itself materially and morally" upon Somaliland and Tripoli, we cannot be certain that we are receiving the exact shade of meaning which the foreign minister had in mind. Such examples are extremely numerous, and when we remember that most diplomatic utterances are we may well wonder whether we are really securing the idea at all.

Nevertheless, the book does contain a certain amount of indirect evidence which seems trustworthy and is somewhat interesting at the present moment. It is clear that the Italian government has had to deal in the past ten years with a very vigorous assault upon the value of the Triple Alliance for Italy, delivered in season and out of season by the Opposition. Reports were also common that the government was about to renounce the Alliance, and Tittoni was often compelled to deny their truth. There is evidence of a fear among the Italian leaders that the people did not understand foreign policy sufficiently well to form an intelligent opinion upon the issues before the country. They have therefore feared that sentiment and emotion might sweep the people off their feet and lead them to demand action contrary to the best interests of the nation. Yet Signor Tittoni says more than once that a war contrary to public opinion would be impossible. Evidently there has been some attempt to educate the Italian people in ideas of expediency not exactly in accordance with their normal prejudices against Austria.

A good deal has also been written by those who claim to know, to the effect that Italy's present attitude is due to the economic failure of Tripoli as a colony. Tittoni's speeches, however, explicitly show that the leaders never expected Tripoli to be economically beneficial, but looked upon it as a political and strategic asset. Surely, too, there is some importance in this continued insistence that Italy might remain friends with the opposing factions in Europe without injury to her own interests. It would almost seem that neutrality in case of war had been planned in Italy for a good many years.

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The new novel by Oliver Onions, MUSHROOM TOWN, published on February 17, promises to add substantially to the number of people who, in Mr. Onions' work, find sheer delight of realism, analysis, keen satire, beauty. In MUSHROOM TOWN, the whole town appears as "hero." Between the sea and the mountains, with a lone buzzard sailing in a sky of larkspur blue, is a fisherman's village over which broods a holy peace. But the railroad is coming. Gangs are hammering by day, getting drunk by night, only ten miles away.

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This spring is also published JAMES, by W. Dane Bank, who, just before the war broke, created a large sensation by the frank realism of this picture of the modern business buccaneer.

Thus *The London Daily Mail*: "We hasten to salute a writer of power and insight. The book, brief but pregnant, flashes a life-story . . . . . James the masterful schoolboy, James the successful business man, James the all-but-ruined, James most compelling."

There is no space here to speak of the work of J. D. Beresford, Frank Swinnerton, J. Macdougal Hay; nor of those young Americans Irvin Cobb and Will Levington Comfort, both of whom have a vision of America real and compelling. It is suggested that the reader send for the following: the Doran catalogues; "Who's Cobb and Why" (a little book by George Ade, Ellis Parker Butler and others); and "Hugh Walpole," by Arnold Bennett and others; all of them free. Please address George H. Doran Company, 39 West 31st Street, New York.

The following list gives for reference the prices of various new spring books and of the books by the young Englishmen in question. *All prices are Net.*

By Hugh Walpole—*The Wooden Horse*, $1.25. *The Duchess of Wrexe*, $1.40. *Fortitude*, $1.40. *The Prelude to Adventure*, $1.25. *Maradick at Forty*, $1.25. *The Gods and Mr. Perrin*, $1.25.
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By J. D. Beresford—*The House in Demetrius Road*, $1.30.
By J. Macdougall Hay—*Gillespie*, $1.40.
By W. Dame Bank—*James*, $1.25.
By Charles Edward Russell—*Why I am a Socialist*, new edition with chapter on Socialism and the Great War, $0.50.
By Horace Annesley Vachell—*Quinneys'* a real-life story whose popularity is increasing daily, $1.25.

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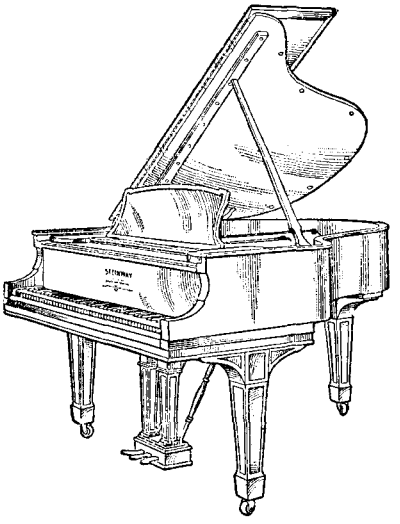

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